QUEEN'S UNIVERSITY
DOCUMENTS LIBRARY
JUL 30 1987

Digitized by the Internet Archive
in 2026 with funding from
Ontario Council of University Libraries

https://archive.org/details/kingstoncouncilmin7879_3

Dup

CITY COUNCIL MEETING NO. 27

Local Govt

A Special Meeting of City Council, summoned by Mayor Keyes, will be held on Monday, July 9, 1979, at 6:30 p.m. (until 8:00 p.m.) in the Alderman's Lounge, City Hall, to meet in session NOT open to the public to consider employee matters.

ROLL CALL

COMMITTEE OF THE WHOLE

(1) That Council resolve itself into a Committee of the Whole NOT open to the Public, with Mayor Keyes in the Chair, to consider the following employee matters:

- a) New Position - Assistant to Clerk
- b) salaries of non-union personnel
- c) Fire Chief
- d) Re-organization at Public Works Department Yard
  (See copy of 6 month Review Report of Commissioner of Works distributed to each member of Council)
- e) Local 141, C.U.P.E. 1980 Contract

(2) That Council Rise from the Committee of the Whole and the Chairman Report.

COUNCIL

(3) That the Report of the Committee of the Whole be adopted, approved and confirmed.

* * *

BY-LAWS

(A) That By-Law 1 be given its First & Second Reading.

(B) That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of Giving By-Law 1 its Third Reading.

(C) That By-Law 1 be given its Third Reading.

* * *

(1) A By-Law to Confirm the Proceedings of Council at its Special Meeting Held July 9, 1979.

(THREE READINGS) (Proposed No. 79-137)
City Council Meeting No. 27, 1979

ADJOURNMENT

CITY COUNCIL MEETING NO. 27

A Special Meeting of City Council, summoned by Mayor Keyes, was held on Monday, July 9, 1979, at 6:30 p.m. (until 8:00 p.m.) in the Aldermen's Lounge, City Hall, to meet in session NOT open to the public to consider employee matters with Acting Mayor John P. Gerretsen in the Chair.

ROLL CALL

Acting Mayor Gerretsen, Ald. Bishop, Ald Clark (arrived 6.50 p.m.), Ald. Gorham (arrived 7:20 p.m.), Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. Miller (arrived 7:45 p.m.), Ald. Tarnowecky, Ald. Timmins, Ald. Webb (arrived 7:40 p.m.). (12).

COMMITTEE OF THE WHOLE

Moved by Ald. Knapp
Seconded by Ald. Lampropoulos

That Council resolve itself into a Committee of the Whole NOT open to the Public, with Acting Mayor Gerretsen in the Chair, to consider the following employee matters:

a) New Position - Assistant to Clerk

b) Salaries of non-union personnel

c) Fire Chief

d) Re-organization at Public Works Department Yard
(Copy of 6 month Review Report of Commissioner of Works was distributed to each member of Council)

e) Local 141, C.U.P.E. 1980 Contract.

CARRIED

Moved by Ald. Bishop
Seconded by Ald. Clark

That Council Rise from the Committee of the Whole and the Chairman Report.

CARRIED

Acting Mayor Gerretsen reported that the following resolutions were considered in the Committee of the Whole:

A. Moved by Ald. Tarnowecky,
Seconded by Ald. Timmins

That a new position of Assistant to the Clerk be created, said position to be in Group No. 13-9, 1979 Salary Range ($17,375-$20,833) - and further -

That Mrs. M. Houghton be appointed to this position at a salary rate of $19,904, effective January 1st, 1979 -

and further -

That when Mrs. M. Houghton is acting in the capacity of Clerk a salary rate of $24,631 (Group No. 18-14 - 1978 Salary Rate - $21,146 to $26,133) shall be paid

CARRIED UNANIMOUSLY

B. Moved by Ald. Tarnowecky
Seconded by Ald. Matthews,

That the following offer be made to the Kingston Administrative Association for 1979 Salaries and Fringe benefits:

a) That an annual salary increase of $1,780 across the board be given to all non-union categories Group 14-10 and over effective January 1st 1979

COMMITTEE OF THE WHOLE (Cont'd)

B) Continued

b) Up date of existing OMERS Type II Pension to January 1st 1979 at a cost of approximately $13,508 annually to cover 63 non-union employees

c) The Corporation will contribute 100% of the monthly premium cost of the Blue Cross Extended Health Care Plan with a ten/twenty deductible for each employee who is a subscriber, the spouse, and all eligible dependents, effective January 1st 1980.

CARRIED

C) Moved by Ald. Tarnowecky
Seconded by Ald. Hawkins

That the report of the Commissioner of Works, being a six month review of the reorganization of the Public Works Department Yard as requested in Clause 17, Report No. 124, 1978 be accepted.

CARRIED

D) Resolved, that the consideration of the salary of the Fire Chief be deferred pending a further report on this matter.

E) Alderman Hawkins declared a conflict of interest and abstained from the vote as his wife is a member of Local 141:

Moved by Ald. Lampropoulos
Seconded by Ald. Matthews

That the following offer be made to Local 141, C.U.P.E. with regard to an extension of the existing contract with the City to cover the year 1980:

a) Amendment of the existing articles in the Agreement with Local 141, C.U.P.E. as noted, to read as shown:

Article 10:04 - Shift Premium

A shift premium of twenty-five cents (25¢) per hour will be paid for each hour worked in the shift to all employees who are requested to work on a scheduled shift basis starting at or before 0630 hours daily and to employees working until or after 1800 hours daily. Shift premiumes shall not be pyramided with other overtime premiums, except for working on a Statutory Holiday.

Article 13:03 - O.H.I.P. and Blue Cross - 2nd Paragraph

The Corporation will contribute One Hundred Percent (100%) of the monthly premium cost of the Blue Cross Extended Health Care Plan, with a ten-twenty (10/20) deductible for each employee who is a subscriber, the spouse, and all eligible dependents.

Article 13:05 -
Retirement - O.M.E.R.S. Supplementary TYPE II - 1st & 2nd Paragraphs:

The Corporation agrees to enter into a Supplementary, Type II, Two Percent (2%), Pension Plan, with the Ontario Municipal Employees Retirement Board, effective January 1, 1979.

This plan will increase the basic Ontario Municipal Employees Retirement System Pension Plan for service prior to December 31, 1978, integrated with the Canada Pension Plan.

Article 17:04 - 1st Paragraph

Except for Temporary and Probationary Employees, the Corporation agrees to pay Forty Dollars ($40.00), effective January 1, 1980, in January of each year towards the cost of safety boots for each employee requiring them under the Construction Safety Act.

COMMITTEE OF THE WHOLE (Cont'd)

E) Continued

a) Cont'd

Article 22:00 - Discipline, Suspension & Discharge

22:01 Whenever it is necessary to warn, censure, or discipline an employee in a manner indicating that dismissal may follow any repetition, particulars of such action shall be supplied to the Union within ten (10) days.

22:02 a) An employee shall be notified in writing of any serious dissatisfaction concerning his work within ten (10) working days of the event. Such notice shall include particulars of the work performance, which led to the complaint.

b) The employee's reply to the above notice shall become part of his record

22:03 The record of an employee shall not be used against him at any time in the following instances:

a) When twenty-four (24) months have elapsed since a suspension, provided there has been no recurrence of a similar and/or other infraction.

b) When twelve (12) months have elapsed since the issuance of a letter of reprimand, provided there has been no recurrence of a similar and/or other infraction.

22:04 Whenever an employee is told to report to a supervisor for the purpose of discussing a serious dissatisfaction with his work, the employee, if he so desires, may request that the employee's steward or a Union Officer be present.

22:05 When an employee who has completed his probationary period has been suspended, the Corporation will within one (1) working day confirm the suspension in writing to the employee involved with a copy of such advice forwarded to the Union.

22:06 When an employee who has completed his probationary period is discharged, the Corporation will provide the written reasons for his dismissal with a copy to be forwarded to the Union. Prior to leaving the premises of the Employer, he may discuss his dismissal with the Union Steward.

Article 25:01 - Term of the Agreement

This agreement shall remain in force until December 31, 1980. Thereafter, it shall renew itself automatically from year to year, unless written notification of intention to modify or terminate this agreement be given by one of the contracting parties to the other not more than ninety (90) days and not less than thirty (30) days before any automatic renewal. Within thirty (30) days after a notice has been received, the parties shall meet and they shall bargain in good faith and make every reasonable effort to reach agreement respecting the proposed modification.

b) Effective January 1, 1980, increase all rates by 7% per year.

Effective July 1, 1980, increase all rates by ten cents (10¢) per hour on straight time hours.

c) That the recommendation of the Administrator of Rideaucrest Home with regard to the Local 141, C.U.P.E. Agreement be discussed.

d) That the following change to Article 5:02 be discussed:

COMMITTEE OF THE WHOLE (Cont'd)

E) Continued

d) Continued

Article 5:02 - Job Security

Management of the Corporation shall retain the responsibility and the right to determine the methods by which all municipal services are provided. Without restricting its right to determine the methods by which municipal services are to be provided, the Corporation agrees that no employee will be laid off from the Corporation's employment as a result of the Corporation contracting out any of its work or services performed by Members of the Bargaining Unit or as a direct result of technological changes in methods.

e) That Local 141, C.U.P.E. confirm in writing that the U.I.C. rebate in the amount of $15,854 will pass to the Corporation of the City of Kingston.

-and further - that if the offer is accepted by Local 141, CUPE, the Mayor and City Clerk are hereby authorized to sign the amending agreement.

(Note: A copy of the report of the Chief Administrative Officer is attached hereto.)

COUNCIL

Moved by Ald. Lampropoulos
Seconded by Ald. Hawkins

That the Report of the Committee of the Whole be adopted, approved, and confirmed.

CARRIED

* * *

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
C. A. O.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

July 5, 1979.

TO: Mayor and Council

RE: C.U.P.E. Local 141

Members of CUPE Local 141 Executive have suggested that they would be interested in discussing an extension of the existing agreement with the City to cover the year 1980.

Their primary approach has been to suggest that if the City agrees to offer the same conditions to Local 141 as has been granted to Local 109 the CUPE Executive would recommend acceptance to the membership of Local 141.

Mr. Ready has prepared a general costing of the cost of this settlement in 1980 which will be 8.3% for a cost of $319,281.00.

In addition to the above matter of U.I.C. rebate of $15,854.00 would reduce the cost. Also, the cost of services to the outside consultant - Mr. Sargent would probably be eliminated.

This cost has in the past amounted to $8,000.00 - to - $9,000.00.

These two factors would reduce the percentage increase in 1980 to 7.7%.

These matters were discussed with his Worship Mayor Keyes, who in turn suggested that it be reviewed by the Department Heads concerned for their comments. Their letters are are attached to this report.

In order to assist Council, we will set out the reasons for accepting or not accepting this proposal below.

......2

Page 2.
(CUPE Local 141 continued.....)

ACCEPTANCE

1) Settlement does not open new benefits. It requests exactly what has been awarded to Local 109.

2) Further negotiation in 1980 would mean requests for Dental Plan plus vacation changes, as well as higher wages demands in all probability.

3) Would resolve the U.I.C. problem.

4) Inflation rate in 1979 would suggest 9% as being a serious demand in 1980.

5) Substantial savings in time for administration and elected officials.

6) Pending settlements with the Nurses may be a serious factor if negotiations with Local 141 were to be held in 1980.

NON-ACCEPTANCE

1) Both Locals would come up for negotiations in 1981 which could be a problem. However, if only 1 year were negotiated in 1980, the time factor would be the same.

2. Conditions in 1980 may change which could influence City Council.

RECOMMENDATION

It is hereby recommended that the Mayor and Council accept the above proposed form of action with the proposed changes of John Smith being discussed, but not delaying acceptance of the general proposal at this time.

R. J. Hamilton.
C. A. O.
July 6, 1979.

JUL - 4 1979

RIDEAUCREST

Home For The Aged

JOHN D. SMITH
ADMINISTRATOR

362 MONTREAL STREET
KINGSTON, ONTARIO, K7K 3H6
AREA CODE (613) 546-3281

July 4th, 1979.

Mr. Robert Hamilton,
Chief Administrative Officer,
City Hall,
KINGSTON, Ontario.

Dear Mr. Hamilton:

RE: Proposed Contract Changes

The following are suggested changes I would like to see made in a revised contract:-

Article 14:06 - For Rideaucrest shift personnel, I feel that there should be a requirement for a physician's Certificate for absence of "three (3) days or more". Our shift rotation is such that employees may be off sick for three consecutive days, with two regular days off preceding and two regular days off succeeding those three sick days, without medical certification.

Article 14:12 - This article should be tightened up to require that the employee report to his or her supervisor before leaving work. Frequently now, a supervisor learns through some other staff member, that an employee has gone home sick.

Article 14:18 - This article as written for Rideaucrest personnel, leaves insufficient lead time for making necessary schedule adjustments. Rideaucrest personnel should be required to notify us of their intention to return to duty the day prior to that on which their shift commences.

Articles 1:03 and 1:05 - The wording of these two articles should be cleared up. This would require discussion with the Union but I would suggest that the possibility of discussion on the present wording be agreed upon.

You may note from some of the above suggestions that it might be worth future consideration to have a separate contract for Rideaucrest Home itself.

Yours very truly,

John D Smith

John D. Smith,
Administrator.

JDS/ke

BYLAWS

(A) Moved by Ald. Tarnowecky
Seconded by Ald. Knapp

That By-law 1 be given its First and Second Reading

CARRIED

(B) Moved by Ald. Tarnowecky
Seconded by Ald. Timmins

That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of Giving By-Law 1 its Third Reading.

CARRIED

(C) Moved by Ald. Miller
Seconded by Ald. Tarnowecky

That By-Law 1 be given its Third Reading.

CARRIED

* * *

ADJOURNMENT

Moved by Ald. Tarnowecky
Seconded by Ald. Hawkins

That Council do now adjourn.

CARRIED

Council adjourned at 8:00 p.m.

(L.S.)

(Signed) *M. Houghton*
Acting Clerk *Pro Tempore*

(Signed) *J. Gerretsen*
Acting Mayor

Dup

Local Govt.

CITY COUNCIL MEETING NO. 28

The regular meeting of City Council will be held on Monday, July 9, 1979 in the Council Chamber, City Hall at 8:00 p.m.

ROLL CALL

MINUTES

That the Minutes of Council Meeting No. 26 held on June 25, 1979 be adopted as printed.

PETITIONS

COMMUNICATIONS

To be Filed

(356) From the office of The Secretary of State for External Affairs thanking the City for its letter of June 19, 1979 regarding Council's motion of June 18, 1979 concerning refugees in Malaysia and advising that, once Departmental officials have reported on this matter, the Honourable Flora MacDonald will be replying to the City personally.
(File No. 3-6)

(357) From the CORTS Advisory Committee (Canada-Ontario Rideau, Trent-Severn) forwarding a copy of their annual report to the City outlining the committee's activities in 1978/1979.

(File No. 3-17)

Which Has Been Referred to the Kingston Area Planning Board and Has Been Referred to the Industrial Commissioner and the Traffic, Streets and Parking Administrator

(358) From the Official Plans Branch, Ministry of Housing, enclosing a copy of Proposed Amendment No. 14 to the Official Plan for the Township of Kingston Planning Area altering the provisions of the Official Plan insofar as ROADS are concerned in order to implement the recommendations of their 1976 Roads Needs and Transportation Study and alterations to the municipal boundary.

The amendment provides, among other things:

> *"While the alignment of all existing and proposed freeway, arterial, and collector roads is shown on Schedule "A", the location of the proposed two-lane arterial road between Front Road and Highway Number 33 east of the Airport lands is shown in a general delineation only, and any two-lane arterial road satisfying the linkage requirements of the proposed road shall be deemed to conform to The Roads Plan."*

Comments are requested to be submitted before July 26, 1979.
(File No. 1-2.1-4 and No. 21-4.1i)

COMMUNICATIONS (Cont'd)

To be Filed

(359) Copy of a letter to the Grand Theatre from the Ontario Liquor Licence Board of Ontario acknowledging receipt of an application for lounge facilities in the following locations in the Grand Theatre:
Lounge No. 1 (Main Floor) 35 persons
Lounge No. 2 (Second Floor) 199 persons

(File No. 12-6)

To be Filed

(360) From the International Joint Commission, Windsor Ontario, forwarding their booklet to the City entitled, "Great Lakes Focus on Water Quality".

(File No. 9-5)

To be Referred to the Chief Administrative Officer

(361) From the Corporation of the Town of Hawkesbury requesting that the City endorse the following resolution:

> *"Resolved that in the interest of conserving energy and of increasing productivity, a recommendation be made to the Minister of Energy that the month of April be added to the Daylight Saving Time period, to take advantage of the early morning day light hours and that a copy of this resolution be submitted to all municipalities in Ontario for their endorsement."*

(File No. 19-7)

To be Filed

(362) From the Honourable Claude F. Bennett, Minister of Housing, notifying of his approval of the City's application for a Provincial grant of $210,740,000. for the Ontario Home Renewal Programe in Kingston for the current fiscal year; submitting an accountable advance of $52,723.19 and notifying that commitments made to homeowners must not exceed the amount of the advance until such time as the City requests and receives further accountable advances.
(File No. 8-3.18)

To be Referred to the Planning Board

(363) From Queen's University, submitting their application for zone change requesting permission to relocate their Day Care Facilities from 169 Union Street to 96 Queen's Crescent which is presently zoned "A" residential.
(File No. 25-2)

To be Referred to the Chief Administrative Officer

(364) From The Municipality of Metropolitan Toronto forwarding a copy of Clause No. 4 of Report No. 10 of The Social Services and Housing Committee, entitled, "Final Report of the Provincial-Metropolitan Toronto Task Force on the Elderly Persons Centres Act", which was adopted, without amendment, by the Council of The Municipality of Metropolitan Toronto at its meeting held on June 19, 1979 and a copy of the Final Report of the Provincial-Metro Task Force on the Elderly Persons Centres Act.
(File No. 17-9.8)

To be Filed

(365) From The Liquor Licence Board of Ontario notifying the City of an application made by the House of Peking Restaurant at 479 Princess Street, Kingston, for a dining lounge licence and stating that, when the application has been scheduled for a public hearing, the Board will provide the City with a copy of their letter to the applicant setting out the date, time and place of the hearing.
(File No. 365)

To be Referred to the Committee of the Whole - Re: Clause 6, Report No. 46

(366) From the Frontenac County Board of Education informing the City that Trustees, Mr. P.H. Watson and Mr. J.W. Bannister, both of Kingston, were appointed as the Board's representatives to the City's Study Group on the Effect of Declining School Enrolments on the Municipality. (See Clause 7, Report No. 74)
(File No. 3-6)

To be Referred to the Committee of the Whole - Re: Clause 6, Report No. 46

(367) From the Frontenac-Lennox and Addington County Roman Catholic Separate School Board advising the City that Reverend D.P. Clement of the Holy Family Parish, in Kingston, has been named by the Board to be the representative to the study group for the discussion of the matter of school requirements for the City. (See Clause 7, Report No. 74).
(File No. 3-6)

To be Referred to the Chief Administrative Officer

(368) From the Corporation of the Township of Dover, Chatham, Ontario, requesting financial assistance from the City because of flooding damage to the area on March 8 and 9, 1979 when the river Thames overflowed its banks. The Provincial Government has declared the area a disaster and people in the affected area have submitted claim forms for essential items amounting to approximately $300,000.00.
(File No. 7-3)

To be Filed

(369) From Mrs. Margaret Cowan, thanking the City for the flowers sent to her on the occasion of her 87th birthday.
(File No. 3-6)

(370) From the Ministry of Community and Social Services informing the City that Mr. David Morrow, Social Services Supervisor, in the Kingston Area has agreed to be a representative of the Ministry Office for the Welfare System Committee.
(File No. 20-5.3)

COMMUNICATIONS (Cont'd)

(371) From the Honourable Keith Norton thanking the City for the copies he has received of resolutions concerning heritage buildings and the Ontario Building Code, and the seven per cent retail sales tax on Cable TV.
(File No. 19-7)

Which has been referred to the Tourist and Visitors Bureau

(372) From Mrs. Helen Richards Campbell suggesting that the City of Kingston produce an aluminum token which advertizes a unique feature of Kingston and which could be sold as a tourist souvenir or made available at conventions and other occasions.
(File No. 21-8)

To be Referred to the Planning Board and L.A.C.A.C.

(373) From Mr. L.R. Olsson, Director, Toronto Regional Office, Department of Justice, Canada, objecting to the designation of the following properties as subject to the *Ontario Heritage Act:*

(a) St. Helen's - 440 King Street West (which houses part of the Solicitor General's Regional Headquarters staff)

(b) Building No. A-3 - Gardener's Building

(c) Building No. 2 - Coach House (Penitentiary Archives and Museum)

- and -

requesting that the City amend the designation by-laws to delete these properties or not proceed further with the designations,

- and -

enclosing a copy of a 1976 City of Toronto resolution, where a similar problem had arisen, accepting that the *Ontario Heritage Act* did not bind the Queen in Right of Canada nor to properties of the Province of Ontario.

(Note: Copy of letter distributed to all members of Council)

(File No. 2-4.1)

To be Referred to the Kingston Planning Board and L.A.C.A.C.

(374) From Mr. N. Jackson, City Solicitor, in answer to Council's resolution (R.67(5)79) directing him to prepare a by-law providing for designation of Provincial and Federal owned historic buildings on condition set out in the clause, stating:

> "Before the by-law can be drawn, there has to be Notice of Intention to Designate pursuant to Section 29 of The Ontario Heritage Act sent to the owners.
>
> The intention should reflect the conditions approved of by council for the designation. A previous by-law enacted, notwithstanding that an objection was filed, should be repealed since a by-law cannot be enacted if there is an objection registered until The Ontario Heritage Foundation have held a hearing and recommended designation to City Council."

(File No. 2-4.1)

COMMUNICATIONS (Cont'd)

Which has been Referred to the Commissioner of Works

(375) From Shelley Davies, a visitor from Ottawa, commenting on the uncleanliness of Kingston's downtown streets as they were littered with garbage.
(File No. 20-8)

To be Referred to the Planning Board

(376) From The Corporation of The Township of Kingston notifying of the passing of their zoning by-law No. 79-49 affecting property in the Township north of Highway 401 and the north limits of the City of Kingston which deletes their "proposed airport restricted Zone A3" and substitutes "Agricultural Type Two (A2)" Zone and also revises regulations of their "A1" and "A2" Zones.

- and -

that the last day for filing objections is July 25, 1979.

(File No. 21-4.11)

To be Filed

(377) Minutes of the Frontenac County Board of Education for the year 1977 and the year 1978.

(File No. 6-5)

COMMITTEE OF THE WHOLE

(A) That Council resolve itself into the Committee of the Whole to receive delegations, communications and reports, with Mayor Keyes in the Chair.

DELEGATIONS

(1) Major R. A. Newbury will be present regarding the City enter into an Agreement to purchase services from the Salvation Army for the provision of emergency accommodation for male Kingston residents for the period September 1, 1979 to December 31, 1979 inclusive.

(A copy of the brief of The Salvation Army was distributed to all members of Council with the agenda.)

(See Item 1, Report No. 74).

(2) Mr. Walter Malaniuk, C.D.M. Construction Company, with regard to the Watts-Silver Subdivision on Portsmouth Avenue and the issuance of building permits.

(A copy of the letter from Mr. Walter Malaniuk was distributed to all members of Council with the agenda.)

COMMUNICATIONS

(a) Notice from the Township of Kingston of application to the Ontario Municipal Board for approval of Zoning By-Law No. 79-55.

The Director of Planning and Urban Renewal reports that this by-law will allow Highway Commercial uses on a small tract of land on the north side of Highway No. 2 in the vicinity of Highway No. 38 which is about 3 miles from the City limits and would not appear to affect the City of Kingston in any way.

Last date for filing objections is July 13th 1979.
A copy of the plan is attached.

(b) Notice from the Township of Kingston of application to the Ontario Municipal Board for approval of Zoning By-Law No. 79-54.

The Director of Planning and Urban Renewal reports that this by-law rezones for commercial purposes and a horse barn a triangular piece of land at the junction of Perth Road and McAdoo's Lane about one quarter of a mile north of the City limits north of Highway 401. This rezoning would not appear to affect the City of Kingston.

Last date for filing objections is July 13th 1979.
A copy of the plan is attached.

REPORTS

Report No. 73 - City of Kingston Planning Board

That report No. 73 of the City of Kingston Planning Board be received and adopted clause by clause.

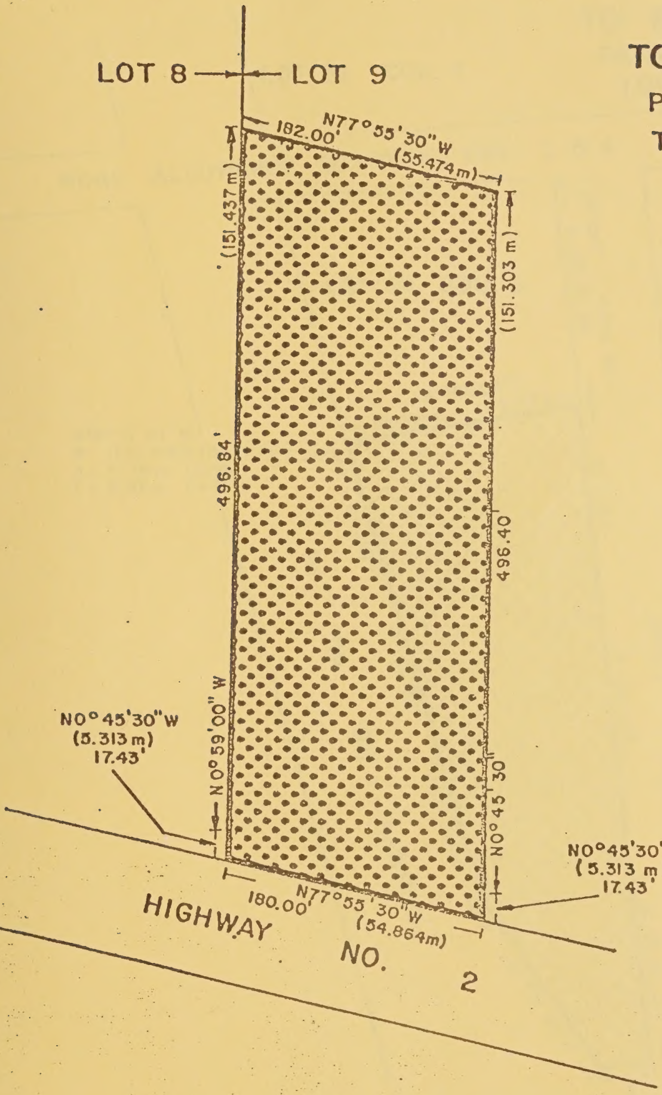
Report No. 74 - Chief Administrative Officer

That Report No. 74 of the Chief Administrative Officer be received and considered.

Communication (a)

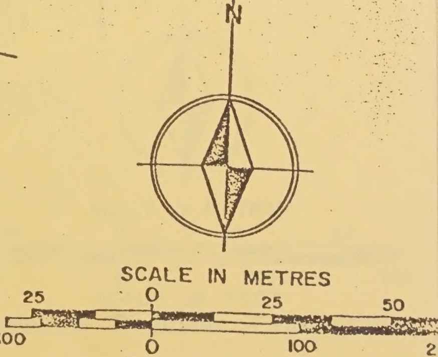
SCHEDULE "A"
TO BY-LAW NO. 79-55

PART OF LOT 9, CON. 3
TOWNSHIP OF KINGSTO


LOT 8
LOT 9
N77°55'30"W
182.00'
(55.474 m)
(151.437 m)
(151.303 m)
496.84'
496.40
N0°59'00"W
N0°45'30"
N0°45'30"W
(5.313 m)
17.43'
N0°45'30"W
(5.313 m)
17.43'
N77°55'30"W
180.00'
(54.864m)
HIGHWAY NO. 2

LEGEND

▨ ZONE CHA
TO


N
SCALE IN METRES
25
0
25
50
100
0
100
2
SCALE IN FEET

THIS IS SCHEDULE "A"
TO BY-LAW NO. 79-55. PASSED
THE 19th DAY OF June, 1979.

REEVE

(SEAL)

CLERK

DRAFTED: MAY 15,1979
DWG NO. 3971-79-90

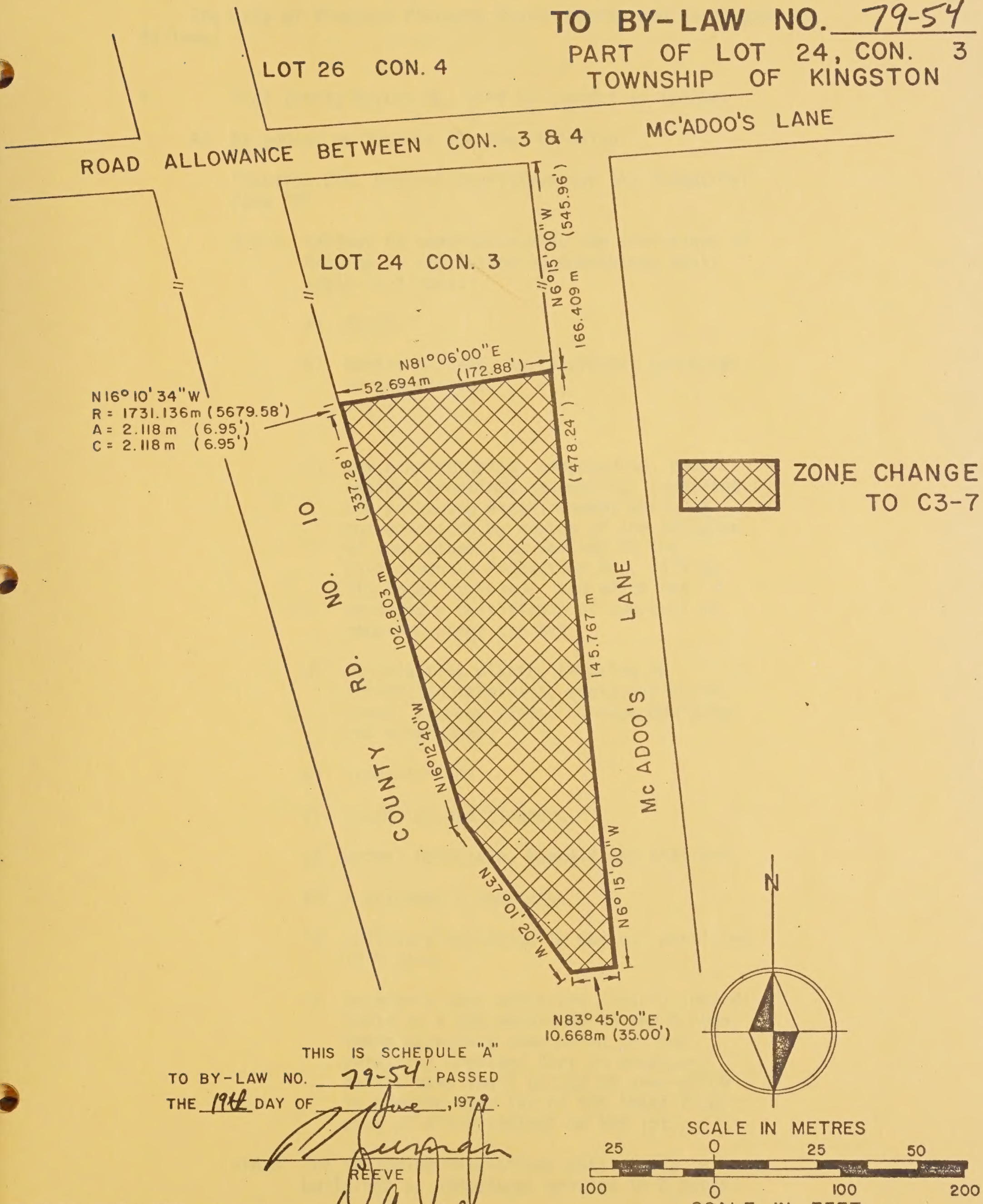
Municipal Planning Consult

Communication (b)

SCHEDULE "A"

TO BY-LAW NO. 79-54

PART OF LOT 24, CON. 3
TOWNSHIP OF KINGSTON


LOT 26 CON. 4
ROAD ALLOWANCE BETWEEN CON. 3 & 4
MC'ADOO'S LANE
LOT 24 CON. 3
N6°15'00"W (545.96')
166.409 m
N81°06'00"E
52.694 m (172.88')
N16°10'34"W
R = 1731.136m (5679.58')
A = 2.118 m (6.95')
C = 2.118 m (6.95')
(337.28')
(478.24')
COUNTY RD. NO. 10
102.803 m
145.767 m
N16°12'40"W
Mc ADOO'S LANE
N37°00'20"W
N6°15'00"W
N83°45'00"E
10.668m (35.00')
ZONE CHANGE TO C3-7
N
SCALE IN METRES
25
0
25
50
100
0
100
200
SCALE IN FEET

▨ ZONE CHANGE TO C3-7

THIS IS SCHEDULE "A"
TO BY-LAW NO. 79-54 PASSED
THE 19th DAY OF June, 1979

REEVE

(SEAL)

CLERK

REVISED: JUNE 11, 1979
DRAFTED: MAY 18, 1979

Municipal Planning Consultants

REPORT NO. 73

July 4, 1979

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. That Zoning By-Law No. 8499 be amended as follows:

A) By adding as Section 31A the following:

"Section 31A: General Provisions for the Industrial Zone 'M'

31A.2 Subject to compliance with the provisions of Section 5, the following provisions shall apply in M zones:

a) farms,

b) market gardens, horticultural nurseries, or greenhouses

c) any manufacturing, compounding, processing, treating, assembling, repairing and packaging establishment which is not obnoxious by reason of the emission of contaminants as defined in The Environmental Protection Act, 1971 or its legal successor, and which has obtained a certificate of approval as required under the Act,

d) distributing plants, trucking or freighting terminals, wholesale businesses, storage yards, storage buildings and warehouses,

e) laboratories,

f) laundries and cleaners,

g) animal hospitals, kennels and shelters,

h) a watchman's quarters,

i) accessory buildings to any use permitted in M zone,

j) accessory uses which are clearly subordinate to a use permitted in the M zone. These accessory uses which include retailing provided that no accessory retail uses shall occupy an area which is greater than 10% of the total floor area of all buildings on the lot.

31A.3 The following regulations shall apply to lands buildings or structures erected in M zones:

a) Maximum height	13.5m
b) Minimum front yard	15m
c) Minimum side yard	7.5m
d) Minimum rear yard	7.5m
e) Minimum lot area	220m^2
f) Minimum lot width	36.5m

1. (Cont'd)

A) Continued

31A.3 (Cont'd)

g) Minimum lot depth 60m

h) Maximum lot coverage 60%

i) For those uses listed in Section 31A.2 (d) and similar uses, a minimum of 20% of the total lot area must be covered by buildings and/or a hard surface material such as concrete or asphalt.

ii) For all other uses the Minimum Lot coverage shall be 20%.

i) Off-street parking as per Section 5.3 of this By-Law.

j) Loading facilities as per Section 5.4 of this By-law.

k) Any permitted yard used for storage shall be screened by a hedge, a brick or stone wall or painted fence not less than 1.8m in height so that the contents of that storage area will not be visible from any public roadway."

B) By amending Zoning Maps No. 1, 2, 3, 8, 9 and 10 so as to zone the area located north of Counter Street and East of Division Street M, M.94, M.96 and FP as shown on Schedules A, B, C, D, E and F, attached hereto.

C) By deleting Sections 94 and 96 in their entirety and replacing them with the following:

"94. On the approximately 0.8 ha parcel of land located on the south side of Dalton Avenue and designated M.94 on a copy of Zoning Map No. 2 attached to and forming part of By-Law No79-138as Schedule 'B', an automatic weigh scale with a front yard of 3m shall be a permitted use."

"96. On the approximately 12.34 ha parcel of land located on the north side of Counter Street, west of Lappan's Lane and designated M.96 on a copy of Zoning Map No. 9 attached to and forming part of By-Law No.79-138 as Schedule 'E', the following uses shall also be permitted:

i. Reconditioning and selling of used machinery.

ii. Scrap ferrous and non-ferrous metal storage and processing.

The land to be used for scrap ferrous and non-ferrous metal outside storage shall be restricted to an area on the subject property north of a line 58m from Counter Street to be adequately screened with said screening to be satisfactory to the City."

D) By deleting Sections 87, 88, 89, 90, 93, 95 and 105 in their entirety.

(See By-Law 1: No. 79-138)

2. WHEREAS Bill 96, 'An Act to Amend The Planning Act', was given one reading by the Ontario Legislature on May 17, 1979; and

WHEREAS the proposed legislation would delete Section 35 (a) of The Planning Act (Development Control) and replace it with a new section which would, among other things, delete power of a municipality to request perspective, elevation and cross section drawings, thus seriously reducing the right of a municipality to exert some measure of architectural control over development;

THEREFORE BE IT RESOLVED THAT the Province of Ontario be informed that the City of Kingston does not endorse removing from the Planning Act, the right for municipalities to request perspective, elevation and cross section drawings as a condition of approval of development.

3. That, as recommended by the Downtown Core Committee, the proposal call prepared by the Director of Planning and Urban Renewal in connection with proposals for the redevelopment of a designated area in the downtown core of the City of Kingston be approved; and further, that advertisements calling for development proposals be placed in the following publications: *The Kingston Whig-Standard; The Globe and Mail; The Financial Post; Daily Commercial News.*

(Copies of the proposal call have been distributed to all members of Council)

4. WHEREAS Mr. W. Gay has applied to have the zoning for 119 Barrack Street amended in order to permit the construction of a 7.6m by 18.3m (25 ft. by 60 ft.) addition to the existing building at this location and its occupancy by professional offices; and

WHEREAS the Official Plan permits the establishment of professional offices in residential areas provided they are properly located and controlled; and

WHEREAS the site is separated from the low density residential community to the north by an apartment building and the Queen's University printing plant;

THEREFORE BE IT RESOLVED that By-Law No. 8499 be amended as follows:

1) By amending Zoning Map No. 18 so as to rezone the approximately 0.07 ha parcel of land located on the northeast corner of Barrack and Bagot Streets as shown on a copy of Zoning Map No. 18 attached hereto as Schedule 'G', from Zone A (One and Two Family) Residential to Zone A.165 (One and Two Family) Residential.

2) By adding as Section 165 the following:

"165. On the approximately 0.07 ha parcel of land located on the north east corner of Barrack and Bagot Streets and designated A.165 on Zoning Map No. 18 attached to and forming part of By-Law No.79-138as Schedule 'A':

4. (Cont'd)

2) Continued

a) The permitted uses shall also include professional offices having a maximum total floor area of 335 square metres (3600 sq. ft.)

b) A minimum of 1 on site parking space for every 28 square metres (300 sq. ft.) of professional office space shall be provided.

c) There shall be no required front, side, or rear yards.

d) The permitted use in Section 165(a) and any alteration or addition thereto shall be subject to the regulations for Development Control as set out in Sections 5.30 subsections (a), (b) and (d) of By-Law No. 8499.

(See By-Law 2: No. 79-139)

5. WHEREAS Dr. H. Westenberg has applied to rezone the property at the southwest corner of King and Maitland Streets in order to permit the location of physicians' offices; and

WHEREAS the Official Plan permits the establishment of professional offices in residential areas provided that they are properly located and controlled;

THEREFORE BE IT RESOLVED THAT By-Law No. 8499 be amended as follows:

1) By amending Zoning Map No. 31 so as to rezone the approximately 0.2 ha parcel of land located on the southeast corner of King and Maitland Streets as shown on a copy of Zoning Map No. 31 attached hereto as Schedule 'H' from Zone A (One and Two Family) Residential to Zone A.166 (One and Two Family) Residential.

2) By adding as Section 166 the following:

"166. On the approximately 0.2 ha parcel of land located at the southeast corner of King and Maitland Streets and designated A.166 on a copy of Zoning Map No. 31 attached to and forming part of By-Law No. 79-140 as Schedule 'A':

a) The permitted uses shall also include professional offices having a maximum total floor area of 140 square metres (1,500 sq. ft.) provided they are located in the existing building;

b) A minimum of 1 parking space for every 28 square metres (300 sq. ft.) of professional office space shall be provided;

c) The required commercial off-street parking spaces may be located in the front yard of the building.

- AND -

5. (Cont'd)

BE IT FURTHER RESOLVED THAT:

a) The Official Plan be amended so as to delete Section 2 (78).

b) By-Law No. 8499 be amended so as to delete Section 56 (a) ii in its entirety.

(Note: The above two items a) and b) refer to a site at 47 Wellington Street, for which Dr. Westenberg was granted permission to locate a professional office. He has agreed to relinquish this right if the above clause with respect to 81 King Street is approved).

(See By-Laws 3 and 4: No. 79-140 and 79-141)

6. WHEREAS the Kingscourt Public School site of 9 acres has been declared surplus by the Frontenac County Board of Education and has been offered for sale to the City; and

WHEREAS the Planning Board is of the opinion that acquisition of the site for public purposes is in the interests of the City; and

WHEREAS the Board is also of the opinion that development of portions of the school site and of Champlain Park for residential single family lots is acceptable in order to offset the cost of acquiring the school site;

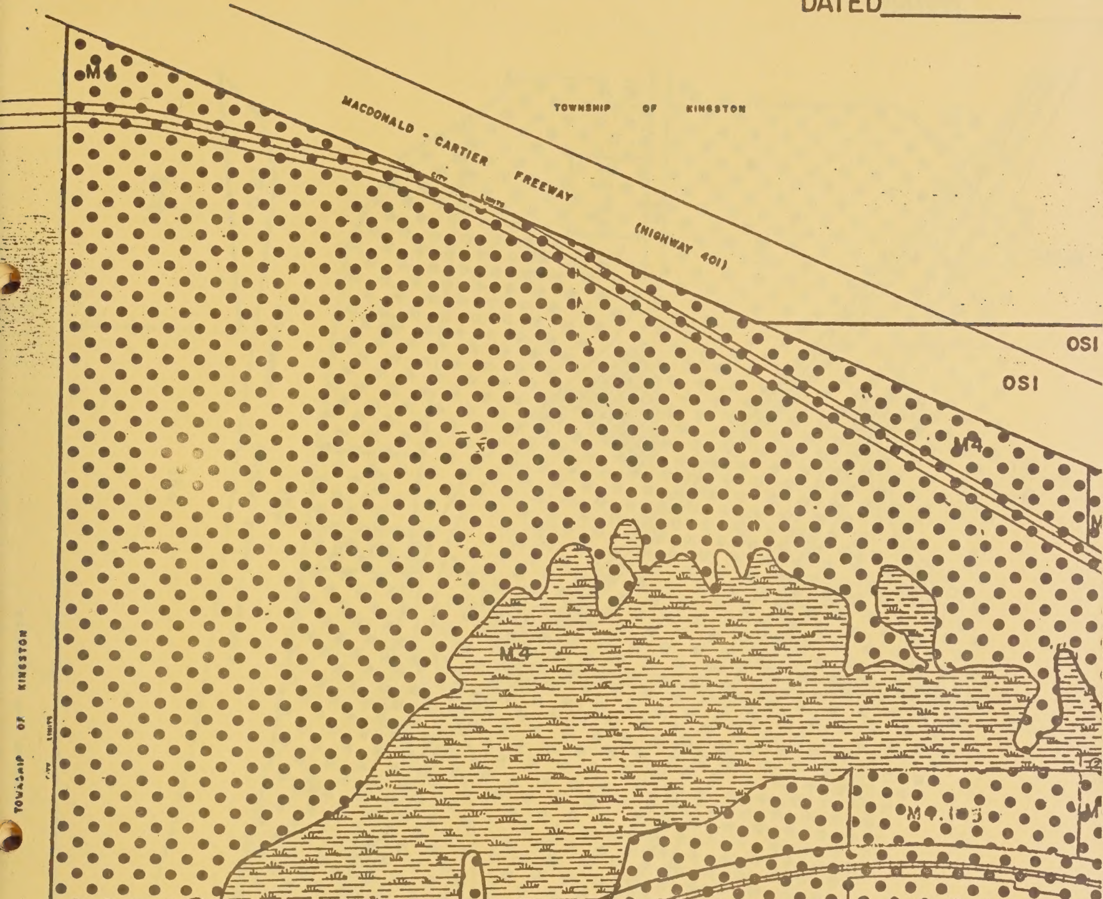
THEREFORE BE IT RESOLVED THAT the City approve in principle the acquisition of Kingscourt Public School site and the Chief Administrative Officer be authorized to negotiate the price with the Frontenac County Board of Education and present a report to Council on the financing, servicing, subdivision plans, park closing and rezoning required for the development for residential single family lots of portions of the school site and of Champlain Park, in accordance with the preliminary plan prepared by the Planning Department in consultation with the Parks and Recreation Department, as amended subsequent to a public meeting.

Respectfully submitted,

CHAIRMAN

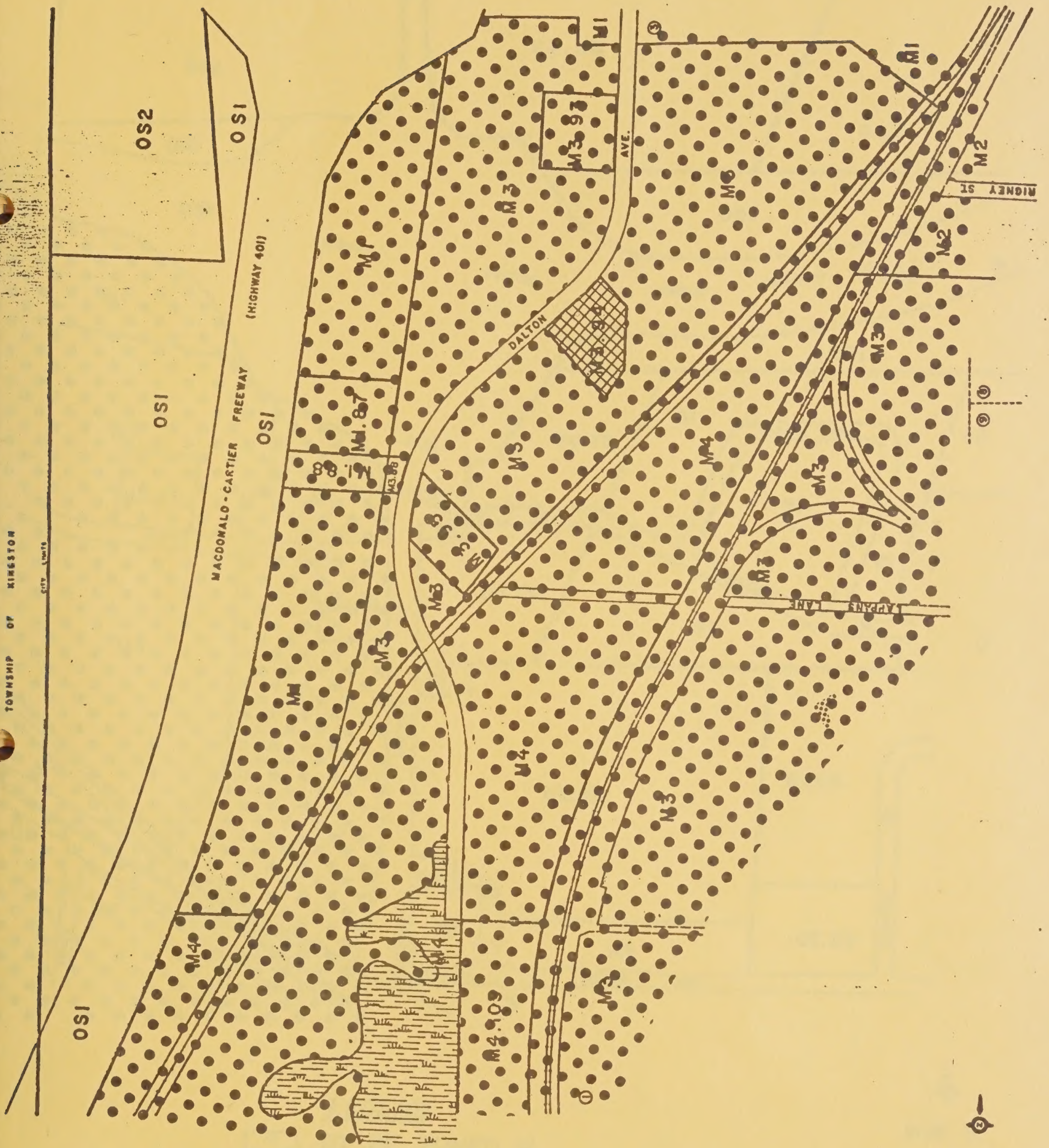
Schedule 'A' to Report No. 73, 1979

SCHEDULE 'A'
BY-LAW Nº ______
DATED ________


M4
TOWNSHIP OF KINGSTON
MACDONALD - CARTIER FREEWAY (HIGHWAY 401)
CITY LIMITS
OS1
OS1
M4
M4
M4
M3
M3
TOWNSHIP OF KINGSTON
CITY LIMITS
MAP 1
LEGEND
TO BE ZONED M
TO BE ZONED FP
BY-LAW Nº 849
JULY 28, 1975
REVISED

Schedule 'B' to Report 73, 1979

SCHEDULE 'B'
BY-LAW Nº ______
DATED ______


OS2
OS1
OS1
OS1
OS1
MACDONALD-CARTIER FREEWAY
(HIGHWAY 401)
TOWNSHIP OF KINGSTON
CITY LIMITS
DALTON
AVE.
M1
M3.93
M3
M3.94
M3
M1.87
M1.88
M3.88
M3.95
M3
M3
M4
M4
M4
M4.109
M4
M3
M3
M3
M3
M3
M2
M2
RIGNEY ST
TAPPANS LANE
M1

LEGEND

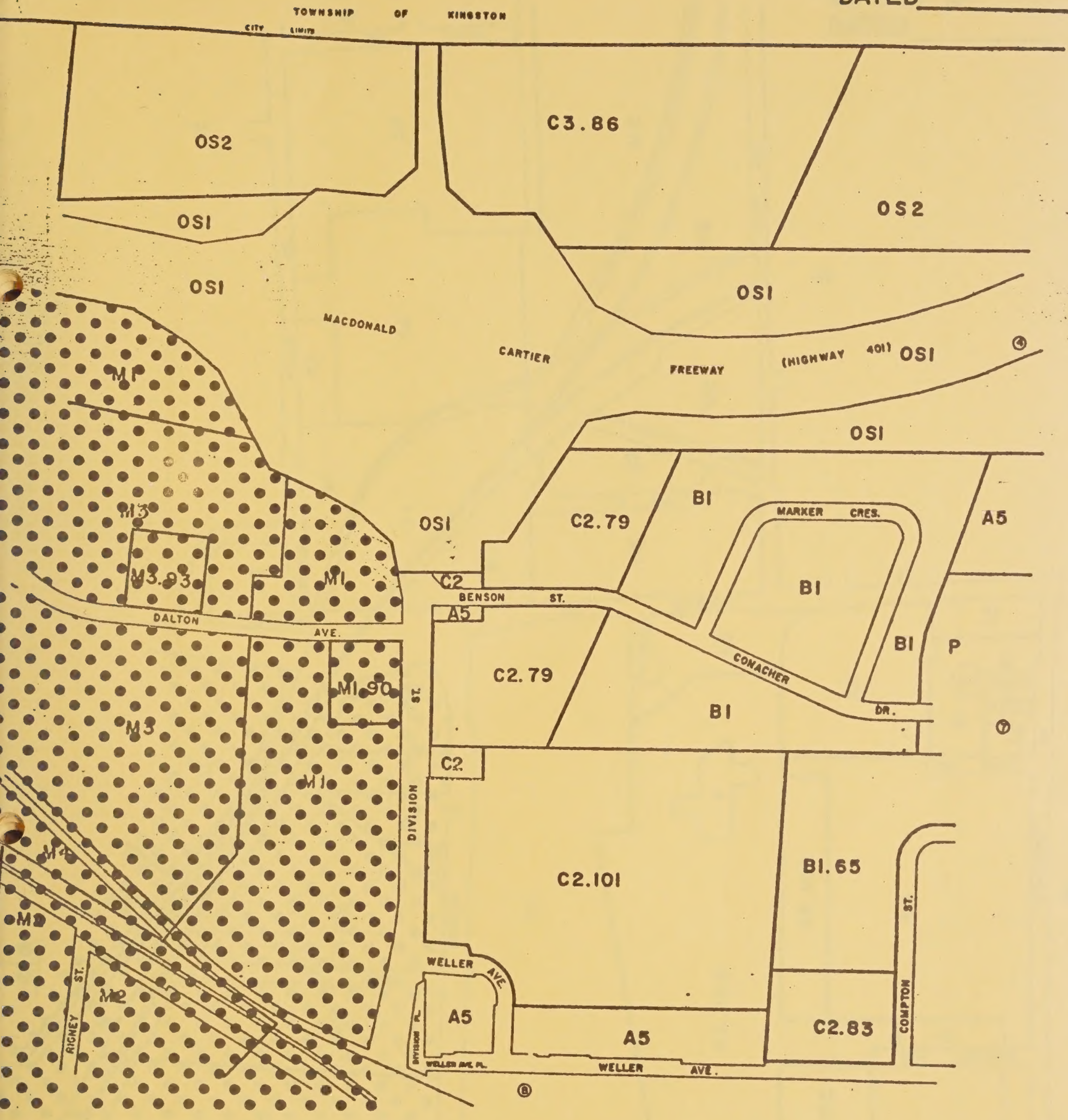
▩ TO BE ZONED M.94
● TO BE ZONED M
☐ TO BE ZONED FP

MAP 2

BY-LAW Nº 849
JULY 28, 1975
REVISED______

Schedule 'C' to Report 73, 1979

BY-LAW Nº ______
DATED ______


TOWNSHIP OF KINGSTON
CITY LIMITS
OS2
C3.86
OS2
OS1
OS1
MACDONALD CARTIER FREEWAY (HIGHWAY 401)
OS1
④
OS1
OS1
M1
M3
M3.93
M1
OS1
C2.79
B1
MARKER CRES.
A5
C2
BENSON ST.
A5
B1
DALTON AVE.
M1.90
C2.79
CONACHER DR.
B1
B1
P
⑦
M3
DIVISION ST.
C2
M1
C2.101
B1.65
M4
M2
RIGNEY ST.
M2
WELLER AVE.
A5
DIVISION PL.
WELLER AVE. PL.
A5
WELLER AVE.
C2.83
COMPTON ST.
⑧

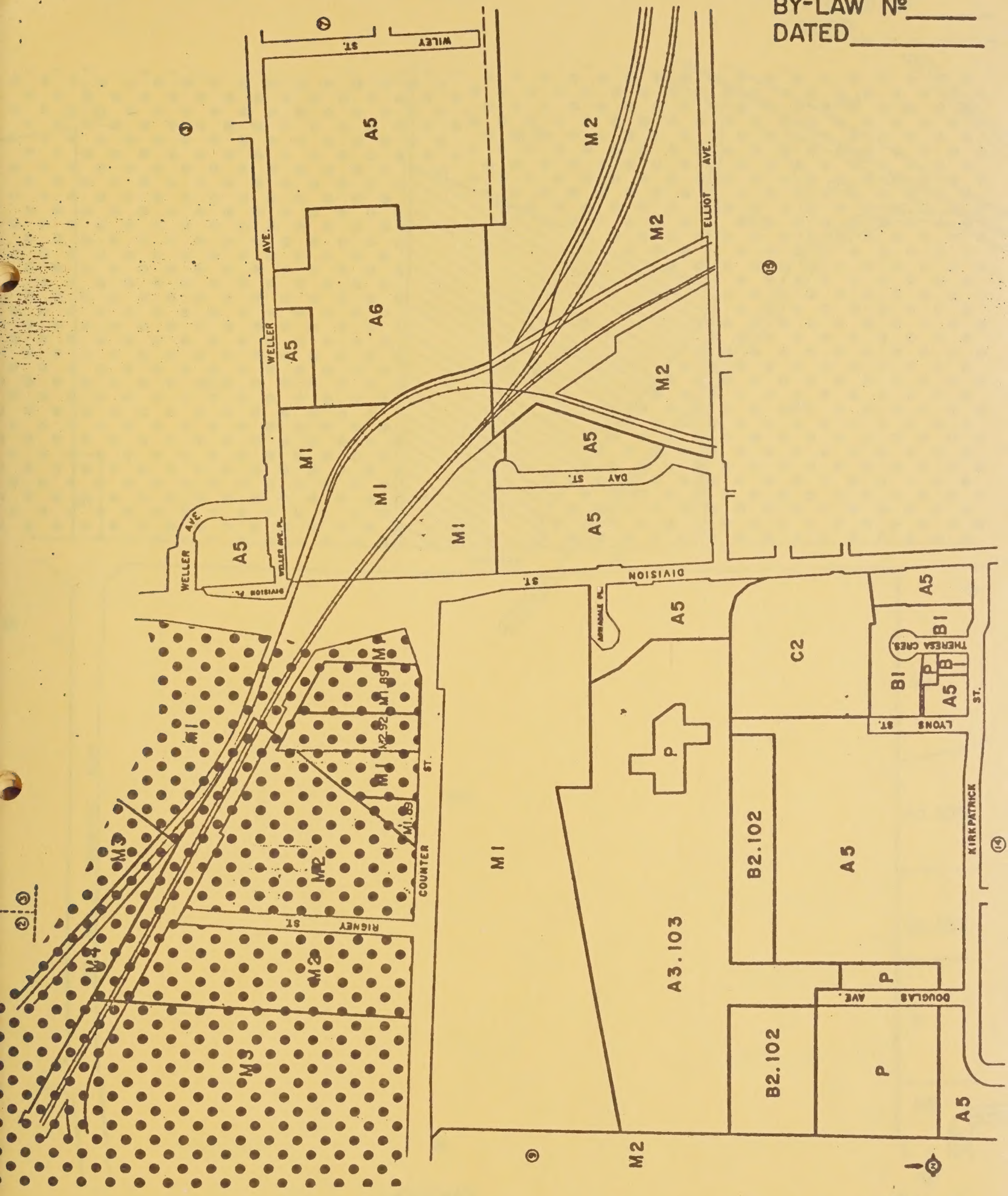
LEGEND

▨ TO BE ZONED M

MAP 3

BY-LAW Nº 8499
JULY 28, 1975
REVISED ______

SCHEDULE 'D'
BY-LAW №_____
DATED________


WILEY ST.
WELLER AVE.
WELLER AVE.
WELLER AVE. PL.
DIVISION PL.
DIVISION ST.
ELLIOT AVE.
DAY ST.
COUNTER ST.
RIGNEY ST.
THERESA CRES.
LYONS ST.
KIRKPATRICK ST.
DOUGLAS AVE.
A5
A6
A5
M2
M2
M2
M1
M1
M1
A5
A5
A5
A5
C2
A5
B1
B1
P
B
A5
M1
M3
M4
M2
M2
M3
M1
P
A3.103
B2.102
A5
P
B2.102
P
A5
M2

LEGEND

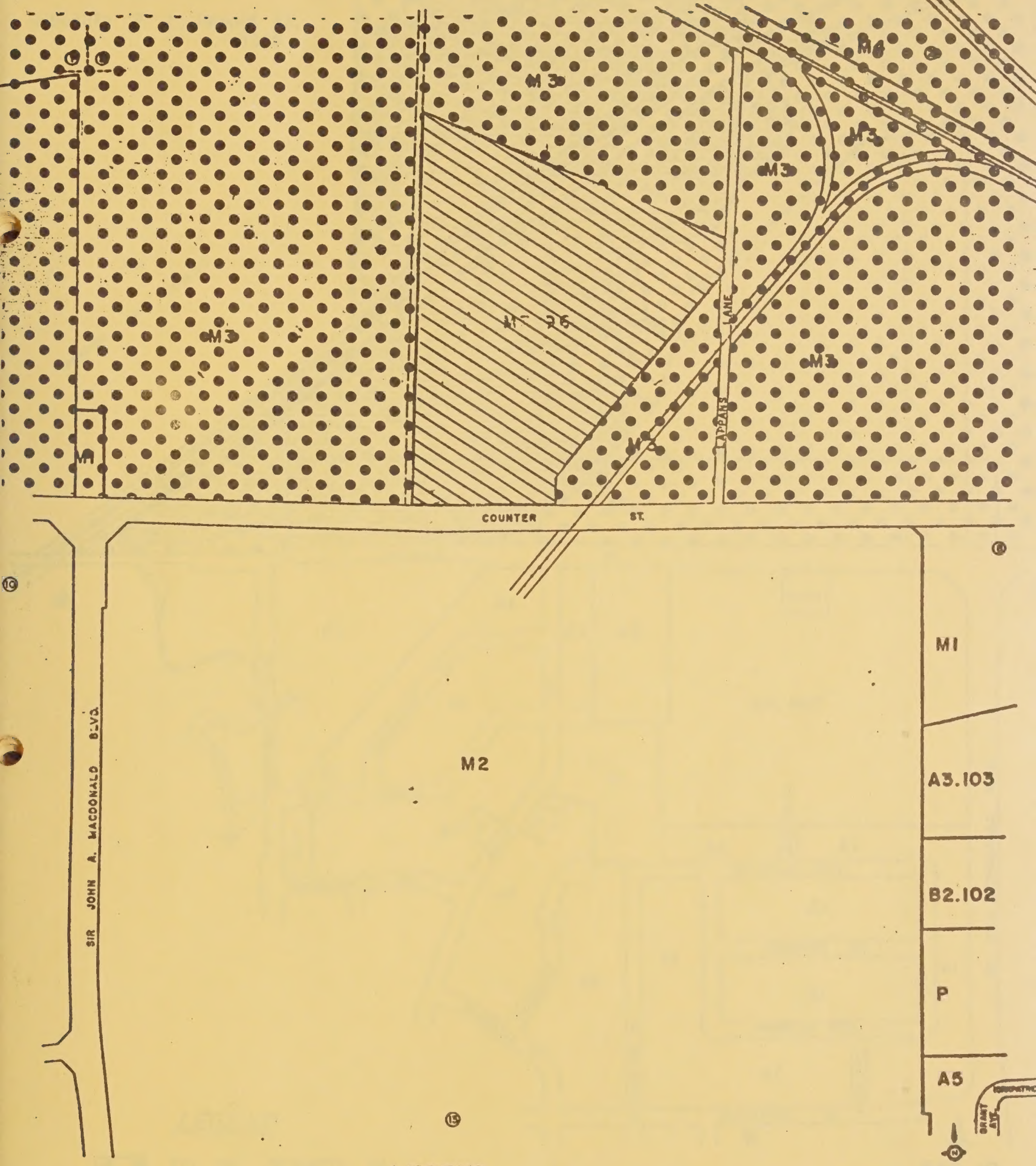
▨ TO BE ZONED M

MAP 8

BY-LAW № 8499
JULY 28, 1975
REVISED________

Schedule 'E' to Report 73, 1979

SCHEDULE E
BY-LAW Nº_____
DATED__________


M3
M4
M3
M3
M3
M.96
M3
M3
M3
M1
LANE
LAPPANS
COUNTER ST.
SIR JOHN A. MACDONALD BLVD.
M2
M1
A3.103
B2.102
P
A5
GRANT AVE.

LEGEND

● TO BE ZONED M

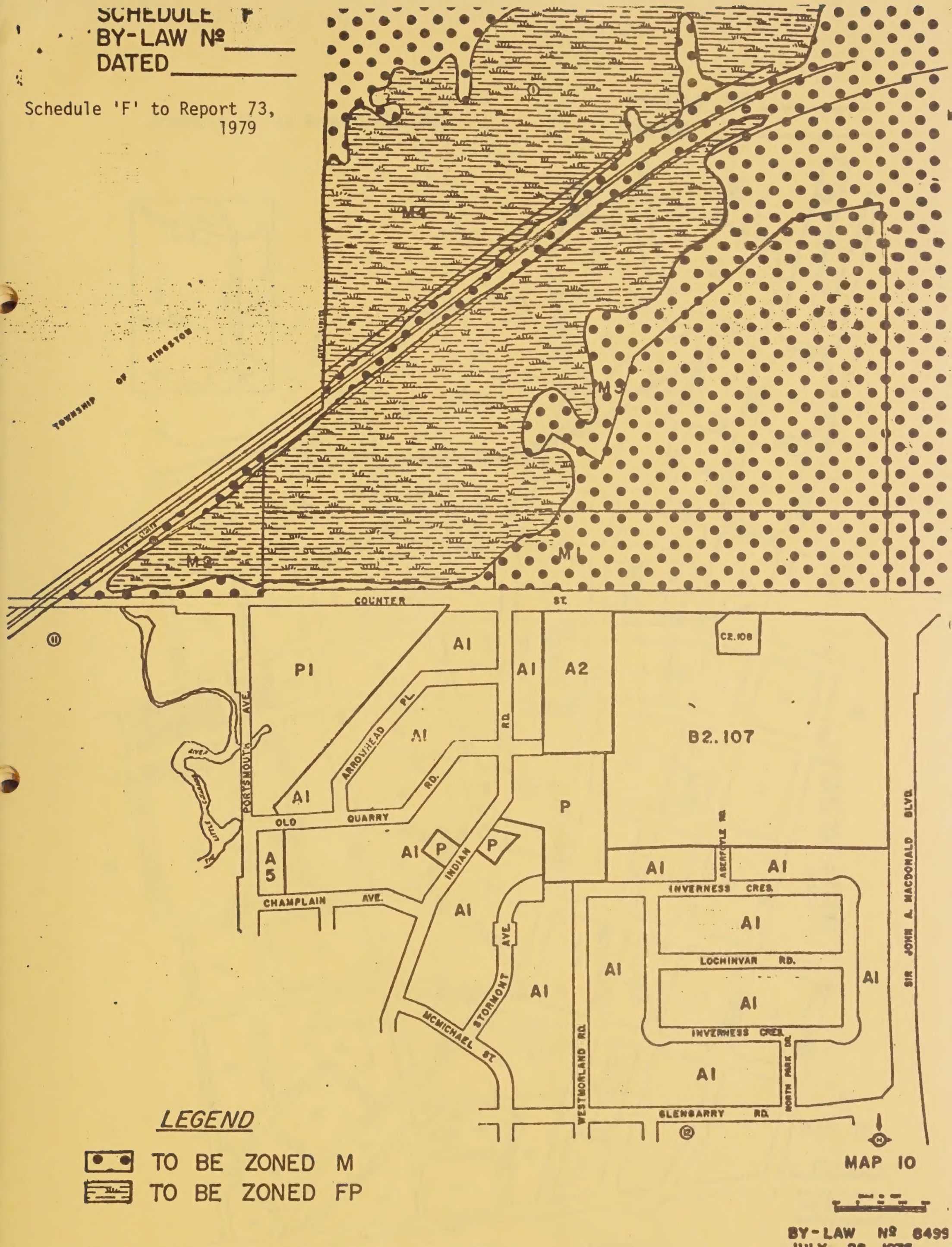
▨ TO BE ZONED M.96

MAP 9

BY-LAW Nº 8499
JULY 28, 1975
REVISED_________

SCHEDULE F
BY-LAW № ______
DATED ________

Schedule 'F' to Report 73,
1979


TOWNSHIP OF KINGSTON
CITY LIMIT
CITY LIMIT
M4
M3
M2
M1
COUNTER ST.
⑪
P1
A1
A1
A1
A1
A2
C2.108
B2.107
PORTSMOUTH AVE.
ARROWHEAD PL.
RD.
RD.
RIVER
LITTLE CATARAQUI
OLD QUARRY RD.
A1
A5
P
P
P
INDIAN
ABERFOYLE RD.
A1
A1
CHAMPLAIN AVE.
A1
INVERNESS CRES.
A1
AVE.
STORMONT
A1
A1
LOCHINVAR RD.
A1
A1
MCMICHAEL ST.
INVERNESS CRES.
WESTMORLAND RD.
NORTH PARK DR.
A1
GLENGARRY RD.
⑫
SIR JOHN A. MACDONALD BLVD.
MAP 10
BY-LAW № 8499
JULY 28, 1975
REVISED______

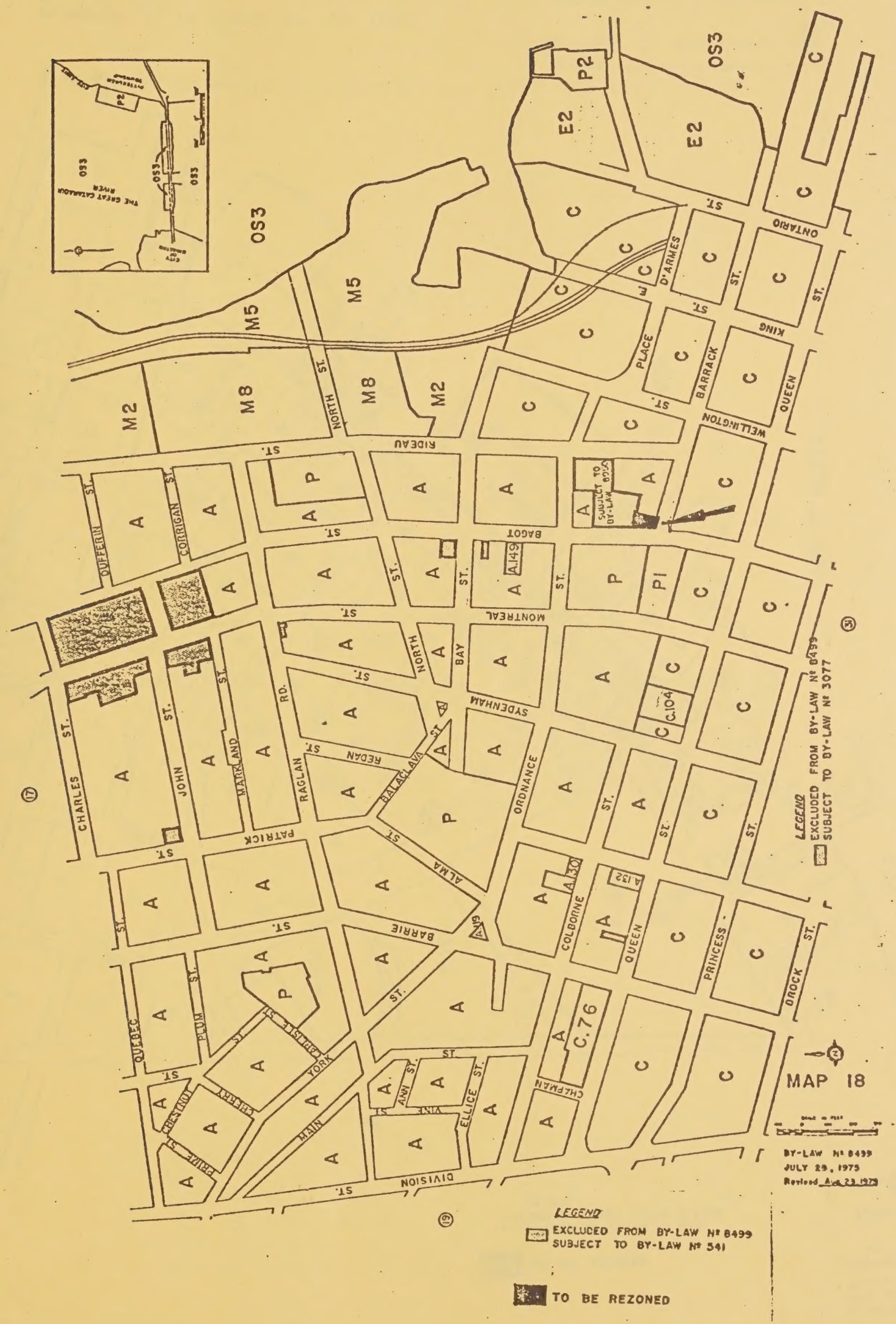
LEGEND

- ● TO BE ZONED M
- ▤ TO BE ZONED FP

Schedule 'G' to Report 73, 1979

BY-LAW Nº ____________

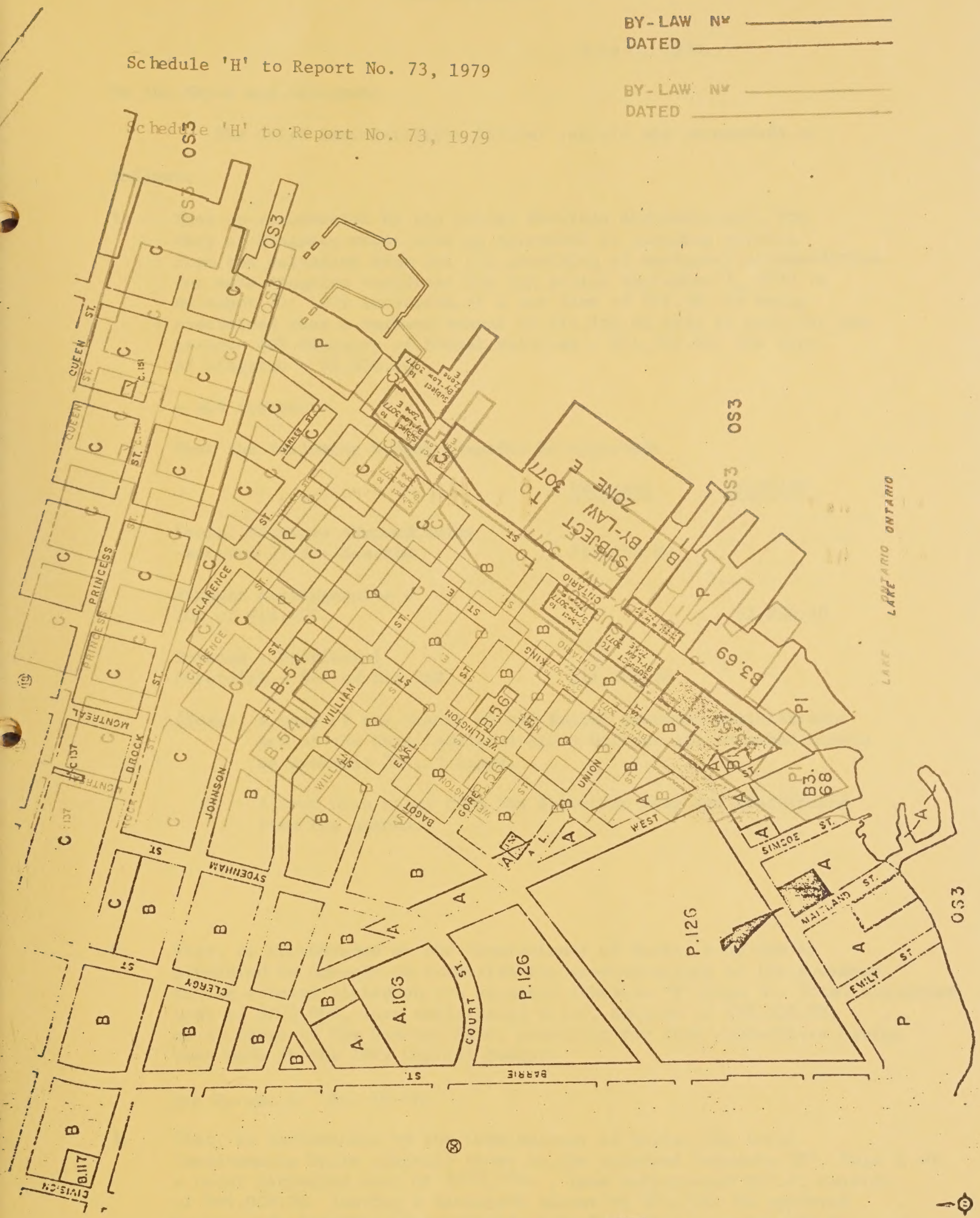
DATED ____________


THE GREAT CATARAQUI RIVER
OS3
OS3
OS3
P2
P2
E2
E2
C
M5
M5
M8
M8
M2
M2
ONTARIO ST.
KING ST.
WELLINGTON ST.
QUEEN ST.
BARRACK ST.
PLACE D'ARMES
RIDEAU ST.
NORTH ST.
BAGOT ST.
DUFFERIN ST.
CORRIGAN ST.
MONTREAL ST.
BAY ST.
SYDENHAM ST.
CHARLES ST.
JOHN ST.
MARKLAND ST.
RAGLAN RD.
REDAN ST.
BALACLAVA ST.
ORDNANCE ST.
PATRICK ST.
ALMA ST.
BARRIE ST.
COLBORNE ST.
QUEEN ST.
PRINCESS ST.
BROCK ST.
QUEBEC ST.
PLUM ST.
CHERRY ST.
ELM ST.
YORK ST.
MAIN ST.
CHESTNUT ST.
PINE ST.
ANN ST.
VINE ST.
ELLICE ST.
CHAPMAN ST.
DIVISION ST.
A
P
PI
C
A.149
A.130
A.132
A.19
C.104
C.76
SUBJECT TO BY-LAW 3077
17
19
31
LEGEND
EXCLUDED FROM BY-LAW Nº 8499
SUBJECT TO BY-LAW Nº 3077
MAP 18
BY-LAW Nº 8499
JULY 29, 1975
Revised Aug 23 1979
LEGEND
EXCLUDED FROM BY-LAW Nº 8499
SUBJECT TO BY-LAW Nº 541
TO BE REZONED

BY-LAW N° ______________

DATED ______________

Schedule 'H' to Report No. 73, 1979


OS3
OS3
C
C
C
P
QUEEN ST.
C.151
MARKET
ST.
C
C
Subject to By-Law 3077 Zone E
C
SUBJECT TO BY-LAW 3077 ZONE E
OS3
PRINCESS
CLARENCE ST.
B.54
WILLIAM ST.
B
ONTARIO ST.
KING ST.
B.56
WELLINGTON ST.
EARL ST.
BAGOT
GORE ST.
UNION
WEST ST.
B3.69
PI
B3.68
SIMCOE ST.
MAITLAND ST.
EMILY ST.
LAKE ONTARIO
MONTREAL
BROCK ST.
JOHNSON
C.137
SYDENHAM ST.
CLERGY ST.
A.103
COURT ST.
P.126
P.126
A
P
BARRIE ST.
B.117
DIVISION
OS3

LEGEND

▭ EXCLUDED FROM BY-LAW N° 8499 SUBJECT TO BY-LAW N° 3077

▨ TO BE REZONED

MAP 31

BY-LAW N° 8499
JULY 28, 1975
Revised May 1, 1978

REPORT NO. 74

July 9, 1979.

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

1. That as recommended by the Social Services Administrator, the City of Kingston enter into an Agreement to purchase service from the Salvation Army for the provision of emergency accommodation for male Kingston residents for the period September 1, 1979 to December 31, 1979 inclusive, at a per diem of $14.50, it being understood that a maximum amount of $14,152.00 will be paid for the period- 80% Ministry of Social Services - $11,321.60, 20% City of Kingston - $2,830.40.

   - and further -

   That the following budget transfer be approved:

	INCREASE	DECREASE
Social Services -Expenditures -Account 3753 - Hostels	$14,152.00	
Finance Contingencies - 20% of $14,152.		$2,830.40
Revenue - Provincial Subsidies - 80% of $14,152.	$11,321.60	

   (Note: A copy of the report of the Social Services Administrator and of the Chief Administrative Officer are attached hereto as Schedule "A", 3 Pages.

   A copy of a brief from the Salvation Army was distributed with the agenda.)

2. That, as recommended by the Commissioner of Works, a by-law be presented to Council to authorize the reconstruction of the pavement on the streets listed on the attached Schedule "B"(Page 3)- Total estimated cost of $100,000, less anticipated M.T.C. subsidy of $50,000.00, as a charge to the General Rate, provision for this expenditure having been made in the 1979 Capital Budget.

   See By-Law 5: No. 79-142

3. That, as recommended by the Commissioner of Works, the Local Improvements Works schedule shown on the attached Schedule "B", Page 3, at a total estimated cost of $122,700. , less anticipated M.T.C. subsidy of $49,000.00, leaving a debenture amount of $73,700. be approved on the understanding that individual by-laws will be presented to Council for the Local Improvement Works when petitions have been received and any necessary transfers of debenture allotment included in the individual recommendations for the by-laws.

4. That, notwithstanding the provisions of By-Law No. 14, as recommended by the Commissioner of Works, Queen's University be permitted to drain the storm water from the lands north of Queen's Crescent between Collingwood Street and Albert Street to the 9" combined sewer on Queen's Crescent immediately west of Civic No. 127, subject to a manhole incorporating a restricting device, satisfactory to the Commissioner of Works, being constructed at the point of connection and subject to Queen's University entering into an agreement with the City agreeing to sign a petition upon presentation for the construction of storm

4. (cont'd).

sewers in Queen's Crescent from Collingwood St. to Albert St.

(Note: A copy of the report of the Commissioner of Works is attached as Schedule "C" - 1 Page).

5. That, as recommended by the Commissioner of Works, Mr. S. Hodgson, Water Pollution Control Plant Foreman be authorized to attend the Ministry of the Environment Training Course for Digester Gas Systems Maintenance to be held in Brampton, September 24th to 28th, 1979, with the cost being charged to Account 310-09, Training Courses.

(Note: A copy of the report of the Commissioner of Works is attached as Schedule "D" - 3 Pages).

6.a) That, as recommended by the Commissioner of Works, and since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the reconstruction of the concrete sidewalk in Grey Street, west side, from 23.62m (77.5') north of Concession St. northerly 30.48m (100'), under the provisions of Section 7 of the Local Improvement Act as follows:

Total estimated cost -	$2,115.00
Owners' share	1,057.50
City's share	1,057.50
Debenture Amount	2,115.00.

See By-Law 6: No. 79-143

b) That, as recommended by the Commissioner of Works, and since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the reconstruction of the concrete sidewalk in Wellington St., east side, from 1.83m (6') north of Queen St. northerly 56.16m (184.2'), under the provisions of Section 7 of the Local Improvement Act as follows:

Total estimated cost -	$4,525.00
Owners' share	489.47
City's share	4,035.53
Debenture Amount	4,525.00

See By-Law 7: No. 79-144

c) That, as recommended by the Commissioner of Works, and since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the reconstruction of the concrete sidewalk 2.9 m (9.5') wide in Brock Street north side from King Street easterly 12.95 m (42.5'), under the provisions of Section 7 of the Local Improvement Act as follows:

Total estimated cost -	$1,340.00
Owners' share	446.61
M.T.C. Subsidy	207.00
City's share	686.39
Debenture Amount	1,133.00

See By-Law 8: No. 79-145

d) That, as recommended by the Commissioner of Works, and since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the reconstruction of the concrete sidewalk in:

1) William Street north side from King Street East, easterly 9.15 m (30').

2) King Street East, west side from William Street northerly 7.17 m (23.5')

under the provisions of Section 7 of the Local Improvement Act, as follows:

6 d) (cont'd).

Total estimated cost	-	$1,350.00
Owner's share		332.19
Anticipated MTC Subsidy		109.00
City's share		908.81
Debenture Amount		1,241.00

See By-Law 9: No. 79-146

e) That, as recommended by the Commissioner of Works, and since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the reconstruction of the concrete sidewalk 1.83 m (6') wide including restoration of concrete curb and boulevard in Brock Street north side from Ontario Street easterly 37.80 m (124') under the provisions of Section 7 of the Local Improvement Act, as follows:

Total estimated cost	-	$4,400.00
Owner's share		865.93
MTC Subsidy		367.00
City's share		3,167.07
Debenture Amount		4,033.00.

See By-Law 10: No. 79-147

f) That, as recommended by the Commissioner of Works, and since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the reconstruction of the concrete sidewalk in:

1) Ontario Street West side from William Street to northerly 23.17 m (76')

2) William Street north side from Ontario Street westerly 3.35 m (11')

under the provisions of Section 7 of the Local Improvement Act, as follows:

Total estimated cost	-	$2,500.00
Owner's share		850.15
Antic. MTC share		407.00
City's share		1,242.85
Debenture Amount		2,093.00

See By-Law 11: No. 79-148

g) That, as recommended by the Commissioner of Works, and since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the construction of a 7.93m (26') wide asphalt pavement with curbs, gutters and boulevards in Indian Road from Glengarry Road to McMichael Street under the provisions of Section 7 of the Local Improvement Act, as follows:

Total estimated cost	-	$44,200.00
Owner's share		8,625.44
City's share		17,787.56
MTC subsidy		17,787.00
Debenture Amount		26,413.00.

See By-Law 12: No. 79-149

h) That, as recommended by the Commissioner of Works, and since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the construction of a 7.93m(26') wide asphalt pavement with curbs, gutters and boulevards in Dorance Street from Victoria Street easterly to the end under the provisions of Section 7 of the Local Improvmenet Act, as follows:

6.h) (cont'd).

Total estimated cost	$16,068.00
Owner's share	6,040.15
Anticipated MTC subsidy	5,013.00
City's share	5,014.85
Debenture Amount	11,055.00.

See By-Law 13: No. 79-150

i) That, as recommended by the Commissioner of Works, and since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the construction of a storm sewer in Dorance Street from Victoria Street to easterly 77.77m (255.14') and including non-abutting, equally benefited frontage, from 77.77 m (255.14') east of Victoria Street easterly 3.05 m (10'), under Section 7 of the Local Improvement Act, as follows:

Total estimated cost	$12,500.00
Owner's share	1,057.92
Anticipated MTC subsidy	5,721.00
City's share	5,721.08
Debenture Amount	6,779.00

and further -

That the following budget transfer in the 1979 Capital Budget be approved:

	Increase	Decrease
Local Improvement Storm Sewers		
Ontario - Clarence to Johnson		$6,779.00
Dorance - Victoria easterly 77.77m	$6,779.00.	

See By-Law 14: No. 79-151

7. WHEREAS Council has agreed (R.46(6)79) to establish a study group to discuss the matter of school requirements for the City and the effect of declining enrollments on the municipality made up by representatives of:

a) The City of Kingston Planning Board;
b) City Council;
c) Frontenac County Board of Education;
d) Frontenac, Lennox and Addington County Roman Catholic Separate School Board;

AND WHEREAS names of proposed representatives have now been received from both School Boards, the Planning Board and the former Finance Committee of City Council:

THAT the following persons be appointed members of the City Study Group on School Requirements and Effects of Declining Enrollments on the Municipality of Kingston:

Mr. J. W. Bannister
Rev. D. P. Clement
Ald. W. Knapp
Mr. H. Marans
Mr. J. J. McKenzie
Mr. P. H. Watson.

8. That, as recommended by the Chief Administrator Officer, if the School Board election can be held during the same three year period to avoid duplication and extra expenditure which would be charged to the ratepayers, the attached resolution of the City of Windsor, be endorsed. (Schedule "E" - 1 Page).

(Note: The Chief Administrative Officer notes that there is no objection to the three year term of office as indicated in the resolution.)

9. That, the attached recommendation of the Board of Management for the Grand Theatre (Schedule "F"), that remaining funds in Account 4690 of their budget in the amount of $12,400. be used for different repairs and acquisitions for the Grand Theatre, be approved.

10. That, as recommended by the Chief Administrative Officer, following a review of the matter by the Director of Planning and Urban Renewal, and the Commissioner of Industries and Airport Administrator, City Council go on record as having no objections to the removal of the following rail trackage it being understood that there are no customers requiring this particular trackage and that the property will remain vested with CP Rail until such time as they offer it for sale and it being understood that it is the policy to offer it in the first instance to the Federal, Provincial and Municipal Governments, in that order, before advertising it for sale by public tender:

a) On the spur line from Elliot Avenue south to the Coca Cola plant which is located on the north side of Railway Street.

b) Trackage between Cataraqui Street and Place d'Armes.

(Note: A copy of the Director of Planning & Urban Renewal's report is attached as Schedule "G" - 1 Page).

11. For the information of Council, the Commissioner of Works reports that Empire Life Insurance Company has paid $14,100 in cash to the City to have additional extra walk reconstruction at their expense when the City replaces the original sidewalks, Ontario, William and King Streets under the Local Improvement Act and that this extra work will be included under the City's future sidewalk contract.

(Note: A copy of the report of the Commissioner of Works is attached as Schedule "H" - 1 Page).

12. That, as recommended by the Chief Administrative Officer, after receiving the concurrence of the Police Chief and the Commissioner of Parks and Recreation, the attached resolution from the City of Brampton with regard to Off-Road Motorized Recreational Vehicles be endorsed.

(Note: See Schedule "I" attached hereto for a copy of the resolution and for a copy of the report of the Commissioner of Parks and Recreation, City of Brampton - 4 Pages).

13. That, as recommended by the Chief Administrative Officer, a grant of $100.00 be made to the Village of Iron Bridge for Disaster Relief said monies to be transferred from Finance Contingencies.

(Note: A copy of the report of the Chief Administrative Officer is attached hereto as Schedule "J" - 2 Pages.)

14. That as recommended by the City Treasurer and Departments concerned the following budget transfers be approved to provide additional funds to the various accounts as a result of contract settlements:

	Account #	Increase	Decrease
Cataraqui Park - Wages	3251	$ 1,061.	
J. K. Tett Centre - Wages	329-01	251.	
Artillery Park - Wages	329-70	600.	
Parks - Wages	421-02	5,018.	
- Equip. Mntce.	421-41	500.	
- Bldg. Mntce.	421-52	400.	
- Greenhouse	421-60	140.	
- Boulevard Mntce.	421-64	272.	
- Traffic Islands & Tree Belts	421-65	272.	
- Weed Control	421-67	600.	
- Tree Trimming	421-70	2,116.	
- Development	421-87	540.	
Recreation - Mntce. Equip.	423-43	300.	
- Outdoor Rinks	423-60	1,300.	
- Ball Diamonds	423-65	200.	
- Cont. from Revenue	423-80	130.	
Elmer Youth Ctr. - Wages	428-60	1,192.	
Cook Youth Centre - Wages	429-01	1,162.	
Public Works - Mntce. Walks	313-85	2,000.	
- Perm't Pav'ts.	314-02	5,000.	
- Unpaved Roads	314-20	2,000.	
- Winter Control	314-34	5,000.	
- Winter Control	314-37	5,000.	
- Street Sweeping	314-61	5,000.	
- Sewers - Manhole Rep.	315-03	1,000.	
- " - Cleaning	315-04	3,000.	
- Sewers - Laterals	315-10	1,000.	
- Supp. Pension	310-44	16,955.	
Traffic & Streets - Wages	362-01	1,125.	
Police - Salaries	3901	38,038.	
- School Aides	3903	1,848.	
Fire Dept. - Salaries	3301	37,230.	
- Supp. Pension	3301	51,497.	
Finance - Contingencies			$191,747.

(Note: Contracts involved: Local 109, Fire and Police.)

15. WHEREAS the Ministry of Transportation and Communications has indicated approval of the City's applications (R.38(3)79 and R.63(13)79) for subsidy approval for the following two airport projects:

1) Preparation of Master Plan and

2) Renovations to Runway 06R-24L including paving and lighting;

AND WHEREAS the Ministry of Transportation and Communications have submitted, for approval by the City, an agreement, a copy of which is attached hereto as Schedule "K"(3 Pages), outlining the conditions under which the Minister has agreed to contribute financial assistance to the City:

THAT a by-law be presented to Council to authorize the execution of an agreement with Her Majesty the Queen in Right of the Province of Ontario as attached hereto as Schedule "K" for the provision of funds for work concerning the Norman Rogers Airport.

(Note: A copy of a report of the Chief Administrative Officer with regard to estimates that have been approved by the Ministry for the work as well as an outline of the budgeted amounts that were approved by City Council in 1979 is attached as Schedule "L" (1 Page).)

See By-Law 15: No. 79-152

16. That a by-law be presented to Council to amend By-Law No. 79-98, "A By-Law to Close Temporarily, a Portion of Concession Street between Division Street and Alfred Street During Construction of Underground Services and Reconstruction of Road (East Bound Lane)", to extend the one way traffic on Concession Street from Division St. to Alfred St. from July 24th to August 17th 1979.

(Note: A copy of the report of the Commissioner of Works is attached as Schedule "M" (1 Page).)

See By-Law 16: No. 79-153

17. That Council authorize the Commissioner of Parks and Recreation and the Chief Administrative Officer to negotiate with the Frontenac County Board of Education for the purchase of the Kingscourt Public School site as quickly as possible, and further, as this property has been appraised by local valuers it is recommended that negotiations be commenced on the basis of the lowest appraised value available, that is, $211,400 for the nine acres.

(Note: A copy of the report of the Commissioner of Parks and Recreation and the Chief Administrative Officer is attached as Schedule "N" (3 Pages).)

18. That the City Treasurer be authorized to obtain proposals, by tender call, for the sale of City owned property located at the south-west corner of Bath Road and Portsmouth Avenue.

(Note: A copy of the report of the City Treasurer and the Chief Administrative Officer is attached as Schedule "O" (5 Pages).)

19. That, notwithstanding the provisions of By-Law No. 10, Dr. H. H. Westenberg be permitted to install ten-foot long flower boxes along the sidewalk at the corner of 300 King Street and 65 Clarence Street, subject to Dr. Westenberg being responsible for the cost of installation and maintenance of such flower boxes; and further, that the City not be held liable if any claims arise therefrom, and the provision of a liability insurance policy satisfactory to the City Solicitor.
(See copy of report from Mr. E. W. Taugher, Assistant Administrator, Traffic, Streets and Parking Department attached hereto as Schedule "P" (1 Page).)

See By-Law 19: No. 79-128

20. That, as recommended by the City Treasurer, List of Accounts No. 6, dated June 1979, in the amount of $5,584,472.24 be approved, it being noted that the expenditures were incurred under proper authorization.

(Note: A copy of the List of Accounts was distributed to each member of Council.)

21. That, subject to the approval of the Chief Building Inspector and the City Solicitor, as recommended by the Deputy City Engineer, a building permit be issued for the construction of a single family residence on Lot 18 of the Watts-Silver Subdivision on Portsmouth Avenue on the following conditions:

a) It will be made only in respect of the one lot (18).

b) Temporary access will only be had from Portsmouth Ave. across the lands within the subdivision.

c) Adequate dust control measures will be provided at the cost of the developer.

d) The house will not be occupied until after the requirements of Clause 9(a) of the subdivision agreement have been met, i.e. "the developer is required to construct the road base and grade the boulevards before building permits are issued".

Respectfully submitted,

Mr. R. Hamilton,
Chief Administrative Officer.

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
C. A. O.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

July 3, 1979.

TO: The Mayor & Council

RE: PROPOSED HARBOUR LIGHTS CENTRE

We are forwarding herewith report from Sid Routbard, Administrator of Social Services, dated June 26th, 1979 together with various attachments from the Salvation Army and list of letters of support, dealing with this subject.

Council will note that Mr. Routbard recommended that the City enter into an agreement to provide this service for the last four months of 1979 at an anticipated net City cost of $2830. This would involve 10 persons at any given time who would be necessarily Kingston residents.

Major Newbury of the Salvation Army will be in attendance at our Council Meeting of July 9 to explain this matter.

We have reviewed the documentation and have discussed this with Mr. Routbard at some length. The fact remains that the City has not budgeted for this expenditure for 1979, and if we wish to provide the said service the amount of $2830 will therefore have to be charged to contingencies.

It is always difficult to present new services part way through the year, however if one has considered that this service is necessary for the residents of Kingston, we cannot delay our decisions. We therefore recommend the adoption of Mr. Routbard's report concerning this matter.

R. J. R. Hamilton.
C.A.O.

RJH:hh

JUN 28 1979

memorandum

Department of Social Services
City of Kingston

TO: R. J. Hamilton
Chief Administrative Officer

DATE: June 26, 1979

FROM: S. H. Routbard
Administrator

SUBJECT: Proposed Harbour Light Centre.

ORIGIN: In response to a need expressed by Social Service Agencies in the City of Kingston, the Salvation Army is proposing to establish a hostel for the "disaffiliated male".

A request is being made to the City to enter into a purchase of service agreement for this purpose.

Please see attached list of letters of support, which are on file in my office.

ANALYSIS: At present the City of Kingston has no facility to accommodate men requiring short-term emergency housing.

The Salvation Army proposes to establish a hostel which would:

a. accommodate 10 men;

b. provide room and board;

c. give priority to clients experiencing chemical abuse problems;

d. offer counselling services;

e. provide appropriate referrals to other social/medical services.

The proposed location of the hostel is 227 Collingwood Street.

Similar programs operating in other municipalities, such as Belleville, have been well received by the general public and have provided a valuable facility to the community.

ALTERNATIVES:

1. Because there has been no hostel of this type available in Kingston, drifting males have usually taken shelter along the waterfront, in storefronts, in the vestibule of the Post Office and in the cells of the Police Headquarters.

Harbour Light Centre Proposal (cont'd)

ALTERNATIVES (cont'd)

2. November 1, 1978 the City received a request from Dr. C.G. Laverty, Director of Addiction Research at Kingston Psychiatric Hospital, asking that the City support Kingston residents who are referred to Serenity House in Belleville for alcohol abuse therapy.

   On the recommendation of the Social Services Administrator, who was aware of the impending Kingston Harbour Light proposal, the Community Services Committee passed a motion of no action on the Serenity House request.

EXISTING POLICY:

Since no hostel for men has existed in Kingston, no corresponding policy for their accommodation has been adopted.

Since 1977 the City has entered into an Agreement with Kingston Interval House for the provision of emergency accomodation to women and children. The administration of this Agreement has been systematic and effective.

FINANCIAL CONSIDERATIONS:

The 1979 Current Budget does not include funds for this purpose. It would therefore be necessary for funds to be transferred from contingencies.

The budget submitted for the Harbour Light Centre is for the period September 1, 1979 to December 31, 1979 inclusive. The total request for this period of $14,152.00 based on a per diem of $14.50.

The Ministry of Community and Social Services has given its approval to this project, subject to approval from City Council. If the City decides to proceed with this program, the Ministry would provide an 80% subsidy. For example, based on a ceiling of $14,152.00, the City would then be responsible for $2,830.00 (20%).

RECOMMENDATION:

That the City of Kingston enter into an Agreement to purchase service from the Salvation Army for the provision of emergency accommodation for male Kingston residents for the period September 1, 1979 to December 31, 1979 inclusive, at a per diem of $14.50, it being noted that a maximun amount of $14,152.00 will be paid for the period. Major Newbury would present this proposal to Council upon request.

Memo to - Mr. R.J.Hamilton
Chief Administrative Officer

Date - June 27, 1979

SUBJECT The 1979 Road Program

ORIGIN The 1979 Public Works Capital Budget includes an allotment of $60,000.00 in debentures funds for General Rate road reconstruction and $60,000.00 in debenture funds for construction and reconstruction of roads under the Local Improvement Act. This report presents schedules that detail the projects recommended for the allotment of debenture funds.

ANALYSIS Schedule "A" is the recommended program for General Rate reconstruction with an estimated net debenture amount of $50,000.00. Schedule "A" is the recommended program for construction and reconstruction with an estimated net debenture amount of $73,700.00. The design of the individual projects is circulated to P.U.C., Bell Canada, Traffic and Streets and any other department or agency having a special interest in a particular project.

EXISTING POLICY Inventory of the state of the road is made annually and rated on the basis of condition in relation to the amount of vehicular traffic. Priority is usually given to Local Improvement projects when a sufficiently signed petition is received.

FINANCIAL In the 1979 Capital Budget a $60,000.00 debenture was allotted for General Rate reconstruction and a $60,000.00 was provided for Local Improvement programs.

General Rate Program	Debenture
Total estimated cost	$100,000.00
Less M.T.C. Subsidy	50,000.00
	$ 50,000.00

Local Improvement Program	Debenture
Total estimated cost	$122,700.00
Less M.T.C. subsidy	49,000.00
	$ 73,700.00

The total debenture amount provided in 1979 Capital Budget was $120,000.00. Total debenture required for these paving programs is $123,700.00. It is proposed that $ 3,700.00 be transferred from the $30,000.00 allotment - Local Improvement Ontario St Storm Sewer - in the 1979 Capital Budget.

RECOMMENDATION

1. That a by-law be passed to authorize the reconstruction of the pavement on the streets listed on Schedule "A" at a total estimated cost of $100,000.00, less anticipated M.T.C. subsidy of $50,000.00, as a charge to the General Rate, provision for this expenditure has been made in the 1979 Capital Budget.

............/2

SCHEDULE "B" (Page 2)

---

2. That individual by-laws be initiated for the Local Improvement works listed on the attached Schedule "A" at a total estimated cost of $122,700.00, with any necessary transfers of debenture allotment included in the individual recommendations for by-laws, when petitions for the work have been received.

D. Graham, P. Eng.
Commissioner of Works

DG/gg

att.

e: Clause 2, Report 74.

PROPOSED ROAD PROGRAM FOR 1979

. General Rate Paving

		TOTAL COST	DEBENTURE	ANTICIPATED MTC SUBSIDY
Center St.	Union - Edgehill	$32,800	$16,400	$16,400
Mack St.	Nelson - Victoria	$18,000	$ 9,000	$ 9,000
Corrigan St.	Bagot - Rideau	$14,800	$ 7,400	$ 7,400
Elmwood St.	Portsmouth - Grenville	$34,400	$17,200	$17,200
	TOTAL	$100,000	$50,000	$50,000

Re: Clause 3, Report 74.

. Local Improvement Paving

			TOTAL	DEBENTURE	MTC SUBSIDY
	Indian Road	Glengarry - McMicheal	$44,200	$26,400	$17,800
(1)	Thomas St.	Patrick - Cowdy	$12,000	$ 7,400	$ 4,600
	Dorance St.	All	$16,100	$11,100	$ 5,000
	Wellington St.	Ordnance - Bay	$37,000	$20,925	$16,075
(2)	Montreal	Russell - 105' S. of Railway	$11,000	$ 6,500	$ 4,500
(3)	Victoria	Third - Dorance	$ 2,400	$ 1,375	$ 1,025
		TOTAL	$122,700.	$73,700	$49,000

(1) This project is for curb, gutter and boulevard on the southside.

(2) This project is for curb, gutter and boulevard on west side and has had third reading.

(3) Cost increase based on lowest tender and has had two readings by Council.

MEMO TO: Mr. R. J. Hamilton

DATE: June 26, 1979

SUBJECT: Connection of storm drainage to combined sewer at 127 Queen's Crescent.

ORIGIN: Request from Queen's University by letter dated May 9, 1979.

ANALYSIS: The storm drainage from the block bounded by Collingwood Street, Union Street, Albert Street and Queens' Crescent immediately west of No. 127 Queen's Crescent. It is presently conveyed across Queen's Cr. to a soaking pit by means of a 10" pipe. The soaking pit no longer functions satisfactorily.

Queen's University have requested permission to connect the 10" pipe to the existing 9" combined sewer on Queen's Cr. by means of a manhole to be constructed over the combined sewer which would intercept the 10" drain.

Special Factors

The nearest storm sewer is on Albert Street approximately 300' east of the proposed connection.

The 9" combined sewer serves only three houses on the north side of Queen's Cr. and is connected to a 3' X 3'6" stone box sewer on Collingwood Street approximately 175' west of the proposed connection. Upon sewer separation of Collingwood Street a local storm sewer will be constructed on Queen's Cr. from Collingwood St. easterly. There is no provision in the five year capital budget for separation in this area.

ALTERNATIVES:

1. Connection to the existing storm sewer on Albert Street by Queen's University.

2. Connection to the existing stone box sewer on Collingwood Street by Queen's University.

3. Connection to the existing local sewer by Queen's University with adequate safeguards to prevent overloading of the sewer.

EXISTING POLICY: In the past, Council has, on occasion, approved connection of storm drainage to combined sewers where storm sewers were not available and where adequate precautions were taken to protect the public connected to the combined system.

FINANCIAL CONSIDERATIONS: A connection by Queen's University to either Collingwood St. or Albert St. would be costly and would make Queen's University less receptive to paying local improvement charges for a storm sewer on Queen's Cr. in the future.

RECOMMENDATION That notwithstanding the provisions of By-law No.14, Queen's University be permitted to drain the storm water from the lands north of Queen's Crescent between Collingwood St and Albert St to the 9" combined sewer on Queen's Crescent immediately west of Civic No.127 subject to a manhole incorporating a restricting device, satisfactory to the Commissioner of Works, being constructed at the point of connection, and subject to Queen's University agreeing to sign a petition upon presentation for the construction of storm sewers in Queen's Crescent from Collingwood St to Albert St.

DG/gg

D.Graham, P.Eng
Commissioner of Works

Memo to - Mr. R.J.Hamilton,
Chief Administrative Officer

Date - July 4, 1979

SUBJECT	Training Course - Digester Gas Systems Maintenance
ORIGIN	Public Works Department
ANALYSIS	The digesters at the Water Pollution Control Plant produce methane gas which is compressed and used to mix the contents of the digesters and to meet the heating requirements of the plant. To comply with government regulations any gas fitting work must be carried out under the direct supervision of a certified gas fitter. It is proposed that the Plant Foreman attend the Ministry of the Environment course on Gas System Maintenance and write the examination for certification as a Maintenance Gas Fitter. See Memorandum from Mr. G. deLugt attached as Schedule "A".
FINANCIAL	The cost of the course is approximately $350.00. Adequate funds are available in the Current Budget for Training Courses.
RECOMMENDATION	That Mr. S.Hodgson, Water Pollution Control Plant Foreman be authorized to attend the Ministry of the Environment Training Course for Digester Gas Systems Maintenance to be held in Brampton September 24 to 28, 1979 with the cost being charged to Account 310-09 Training Courses.

D.Graham, P.Eng
Commissioner of Works

DG/gg
Att.

MEMORANDUM

TO: Mr. D. Graham, P. Eng.
Commissioner of Works

DATE: July 3, 1979.

RE: Mr. Hodgson - Attendance M.O.E. Training Course

It is suggested that Mr. Steve Hodgson should attend the "Digester Gas Systems Maintenance Workshop" to be held in Brampton from September 24, to 28, 1979. The successful completion of this course entitles Mr. Hodgson to write the examination required for certification as a Maintenance Gas Fitter.

It is rather important that Mr. Hodgson obtains this qualification, as it is essential that any gas fitting work is carried out by or under the direct supervision of a certified fitter. At the present time, only Mr. Payne has that qualification and he will no longer be able to be in attendance when gas fitting work needs to be done.

Apart from the travelling and accommodation costs for the week, the fees for the course and examination amount to $45.00. Funds have been provided in the current budget to meet these expenses.

I have attached a copy of the course description and recommend approval of the above arrangements.

G. de Lugt, P. Eng.
Deputy City Engineer

DG/jc
Att/Course description

COURSE DESCRIPTION

DIGESTER GAS SYSTEMS MAINTENANCE WORKSHOP

PURPOSE:

As required by the Energy Act 1971 and related Regulations, the workshop is designed to upgrade the knowledge and skills of personnel who operate and maintain the gas system in a wastewater treatment plant. On successful completion of this workshop, the individual may apply to write the Ministry of Consumer and Commercial Relations (MCCR) examination for certification as a Maintenance Gas Fitter

SCOPE:

The workshop covers the following topics:

A. DIGESTION PROCESS AND GAS PRODUCTION
B. DIGESTER GAS SYSTEM COMPONENTS
C. GAS PIPING
D. FUELS AND COMBUSTION
E. SAFETY

PRE-COURSE
FAMILIARIZATION:

When preparing to attend this workshop, an applicant should familiarize himself with digester operations, and review the Energy Act 1971, related Regulations and the Installation Codes for Natural Gas (CGA 149.1-1976), Propane (CGA 149.2-1976) and Oil Burning Equipment (CSA Standard B139-71).

PREREQUISITES:

The applicant must be employed in the maintenance of the gas system in a wastewater treatment plant. Desirably he should have completed the MOE workshop Primary Treatment and Sludge Digestion and have training in the procedures for safe entry into confined spaces.

PASSING GRADE:

(a) 70%

(b) A passing grade of 75 per cent must be attained on the MCCR test for certification as a Maintenance Gas Fitter.

REGISTRATION FEE:

$25.00 payable to "Training and Certification Section", for the workshop
$20.00 payable to Treasure Of Ontario if the individual elects to write the MCCR Certification examination.

FILE
#5-2

THE
CITY OF WINDSOR
OFFICE OF THE CLERK

J. B. ADAMAC, C.M.C.
CITY CLERK

CITY HALL
WINDSOR, ONTARIO
N9A 6S1
TELEPHONE 255-6211
255-6215
PLEASE REFER
TO FILE NO. (25A-1) jb

CITY COUNCIL
MEETING OF:
25 JUN 1979

COMMUNICATION
No: 347

June 15, 1979

TO ALL MUNICIPALITIES IN ONTARIO:

Windsor City Council adopted the following resolution at its meeting held June 11, 1979:

"707/79 WHEREAS prior to a change in legislation in 1972 many Ontario municipalities found it desirable to provide for a three year term of office for the Council and other local elective offices ; and

WHEREAS for the following reasons, many municipalities, and in particular, large urban communities, should be given the option of three year terms:

(a) decisions made by local municipalities require long range financial and land use planning and the implications of such planning often have a very long term effect;

(b) good long range planning is made very difficult by a two year term;

(c) election campaigning is costly and a two year term may limit the ability of many people to participate in municipal government;

(d) in large urban areas election campaigns may require several months to complete;

(e) municipalities would be able to share costly votomatic and other election equipment; and also the cost to municipalities to conduct elections would be reduced; and

WHEREAS in most Canadian provinces the term for municipal officials are three years; and

WHEREAS the Municipal Liaison Committee representing over 800 Ontario Municipalities supports a three year term;

THEREFORE BE IT RESOLVED that the province be requested to amend the Municipal Elections Act to give municipalities the option of implementing three year terms for municipally elected representatives;

AND FURTHER that a copy of this resolution be sent to other municipalities, local members of the Legislative Assembly for support, and to the Association of Municipalities and the Municipal Liaison Committee for consideration."

Your support of this matter would be appreciated.

Yours very truly,

City Clerk
/dl

City of Kingston
RECEIVED
JUN 20 1979
DEPARTMENT OF
THE CITY CLERK

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: The Board of Management of the Grand Theatre.

DATE: July 4th, 1979.

At a meeting of the Board of Management for the Grand Theatre held on July 3rd, 1979, the following resolution was passed:

"That it be recommended to Council that,

WHEREAS the sum of $20,300. was included in Account #4690 (Contributions from Current Revenue) in the 1979 Grand Theatre Budget, to provide for repairs to the roof and boiler at the Grand Theatre;

AND WHEREAS application was made to Wintario for financial assistance for the necessary roof repairs;

AND WHEREAS Wintario granted approval of such application, subject to one-third of the cost of the roof repairs being raised by public donation;

AND WHEREAS, with the exception of approximately $400 still to be raised, public donations have been received for the required amount;

AND WHEREAS, as a result of the foregoing, the sum of $12,400. remains unexpended in Account #4690;

THEREFORE BE IT RESOLVED that the remaining funds in Account #4690 be used in payment of the following repairs and acquisitions for the Grand Theatre:

1. Storm Windows	$1,200.00
2. Office Equipment (for new offices created by the renovations)	$ 800.00
3. Showcase and display units (for Princess St. windows and entrance area)	$ 700.00
4. Sound system (for new lounge)	$1,500.00
5. Repair and Clean Black Stage Curtains	$1,500.00
6. Lighting instruments and associated hardware	$6,000.00
7. Tools, ladder, first aid equipment, etc.	$ 700.00
	$12,400.00 "

Lila Kitching

Lila Kitching,
Secretary,
Grand Theatre Board.

JUL 3 1979

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
Director of Planning and Urban Renewal

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

June 29, 1979.

MEMORANDUM TO: Mr. R.J. Hamilton,
Chief Administrative Officer,
City Hall.

Re: Removal of a portion of the CP Rail trackage located south of the New Canadian National main line, in the City of Kingston.

CP Rail wishes to remove rail trackage in two locations in the City.

(a) On the spur line from Elliot Avenue south to the Coca Cola plant which is located on the north side of Railway Street;

(b) Trackage between Cataraqui Street and Place d' Armes.

It is understood that there are no customers requiring this particular trackage and it is also understood that the property will remain vested with CP Rail until such time as they offer it for sale. When and if it is offered for sale, it is their policy to offer it in the first instance to the Federal, Provincial and Municipal governments, in that order, before advertising it for sale by public tender.

The City may have an interest in acquiring some of the right-of-way, depending upon the recommendations of the Transportation Study now being conducted by Marshall, Macklin, Monaghan Ltd.

I have discussed the proposal with Mr. Stevens, the Industrial Commissioner, who states that it will not affect the City's interest in industrial development in any way.

There would not appear to be any reason why the City should object to the abandonment of this trackage. I would recommend that the City indicate its approval by passing the appropriate resolution.

I return Mr. Burroughs' letter and accompanying plans.

Yours very truly,

G. G. Muirhead

G.G. Muirhead, M.C.I.P.
Director of Planning and
Urban Renewal.

GGM/mm
Encls.

MEMORANDUM

TO: Mr. R. J. Hamilton,
Chief Administrative Officer

DATE: July 3, 1979.

RE: Sidewalks - Empire Life - Information

Mr. de Lugt has met with officials from Empire Life at which time they reviewed the condition of the sidewalks that surround the block occupied by Empire Life.

Empire Life were advised that on the basis of the inventory of City walks,three short sections would be included in the City's Local Improvement and General Rate Programs having a total estimated cost of about $5,000. With this information Empire Life have given the City a cheque for $14,100. This money is provided for additional walk reconstruction entirely at their expense and the work will be included in our sidewalk contract for this summer.

This work is being done for three reasons:

1. To cover the cost of new walks where entrances are being changed at two locations.
2. To replace walk damaged during building construction.
3. Where walks are not in such a poor state that they could be included in the City's program but Empire Life are of the opinion reconstruction is necessary to compliment their new complex.

D. Graham, P. Eng.
Commissioner of Works

DG/jc

OFF-ROAD MOTORIZED RECREATIONAL VEHICLES

WHEREAS the indiscriminate use of off-road motorized recreation vehicles is detrimental to the general welfare and safety of the Community and to the Environment and,

WHEREAS there is inadequate legislation and regulations relating to use of such vehicles and,

NOW THEREFORE be it resolved that the Province of Ontario through the Minister of Intergovernmental Affairs be requested to enact appropriate legislation providing for

(a) the registration and licencing of off-road motorized recreation vehicles

(b) the licencing of all drivers of such vehicles

(c) the regulation of the use of such vehicles

consistent with the report of the Commissioner of Parks and Recreation of the City of Brampton dated May 7th, 1979 - entitled "OFF-ROAD MOTORIZED RECREATIONAL VEHICLES".

TO: Mayor and Members of Council

FROM: Donald M. Gordon, Commissioner of Parks and Recreation

REPORT ON "OFF-ROAD MOTORIZED RECREATIONAL VEHICLES"

BACKGROUND

Over the past number of years the public has expressed concern and objection over the use of off-road motorized recreational vehicles on public and privately owned lands.

Several reports have been written on the subject with the conclusion that the major problem in urbanized areas is primarily with vehicles such as motorcycles, mini-bikes and trail bikes but also, to an ever increasing degree, with snowmobiles, pedal-bikes, all-terrain and modified large tired vehicles.

The City of Brampton, like many other municipalities, has attempted to accommodate such vehicles by providing specific areas as an alternative to riding on public parklands and private properties.

Along with this, organizations have been established to promote the safe and lawful usage of recreational vehicles in defined areas and to meet the interests of owners in terms of providing marked trails, competition and an opportunity for persons with similar interests to get together.

Unfortunately, these efforts have had a minimal deterrent effect on the majority of vehicle owners and the problems still exist.

The following is a summary of the problems connected with the ownership and use of off-road motorized recreational vehicles.

1. Damage to public and private property namely, grass, vegetation, soil compaction, fences and structures.

2. Disturbing the peace of residents due to the high level of noise emission of vehicles.

3. Pollution through exhaust fumes, gas and oil spillage.

4. Safety hazard for people and primarily children because of speed, inexperience and disregard for reasonable precautions in relation to the terrain of the area being travelled i.e. hilly and wooded areas, children's playground areas.

5. Lack of parental control, in terms of the age and capability of the driver and the areas where the vehicles are being driven.

6. The limited ability to enforce by-laws or existing legislation relating to off-road motorized recreational vehicles by by-law enforcement or police officers because of:
   - limited manpower
   - inadequate equipment or vehicles to apprehend offenders
   - absence of driver certification or licencing
   - absence of vehicle identification through licencing.

7. The reluctance of the Provincial Government to pass effective legislation to control the sale and use of off-road motorized recreational vehicles.

The aforementioned problems are those most apparent but there are additional long term effects to our environment which are best described in Appendix "A" to this report which was prepared by the Geological Society of America.

It is the opinion of staff that the most effective method of controlling and minimizing the detrimental effects of the use of off-road motorized recreational vehicles is to request the Provincial Government, in the strongest possible way, to enact legislation which would implement the following recommended procedures.

1. All off-road motorized recreational vehicles, prior to sale by any means, must be registered and licenced in the same manner and under the similar regulations and penalties as an automobile or motorcycle.

2. All drivers of off-road motorized recreational vehicles must be tested and licenced to operate such vehicles by the Ministry of Transportation and Communication.

   In the event of juveniles operating vehicles or otherwise contravening any regulations, the parent or guardian shall be held responsible for such actions.

3. Registered owners of off-road motorized recreational vehicles shall be responsible and liable for all usage of the vehicle(s). i.e. In the event an unlicenced driver was operating the vehicle in contravention of a by-law or the legislation, both the driver and the owner would be charged with the appropriate offences.

4. Off-road motorized recreational vehicles found operating on public or private property without written or designated permission may be impounded by the Police Department having jurisdiction.

5. All off-road motorized recreational vehicle owners and/or licenced operators are required to have public liability insurance in the same manner as required for automobiles.

6. Off-road motorized recreational vehicles may not be sold to any person under the age of sixteen (16) years and contravention of this requirement should be considered a serious offence.

7. Legislation governing the sale and use of off-road motorized recreational vehicles should provide for sufficient minimal penalties to deter contravention.

The report was circulated in draft form to all City departments and Peel Regional Police and responses received have been supportive of the recommendations.

RECOMMENDATION

It is recommended that Council endorse the report and recommendations contained therein and that the report and a resolution to Council be forwarded to all municipalities in Ontario and the A.M.O. for endorsation; the Premier of Ontario and Provincial Cabinet members.

Donald M. Gordon
Commissioner
Parks and Recreation

DMG/eb

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 7-3

June 28, 1979

MEMORANDUM

TO: Mayor and Members of Council

FROM: R.J. Hamilton, C.A.O.

RE: REQUEST FROM VILLAGE OF IRON BRIDGE FOR DISASTER RELIEF

Kingston recently approved an amount of $500.00 for the Field Springer Disaster Relief Fund which was forwarded to Sturgeon Falls. This represented the City's contribution to an estimated loss in the area of three million dollars. If we were to continue to follow this policy, the request attached from the Village of Iron Bridge, which represents total damage of $500,000., we should consider one sixth of the previous amount that was granted.

We would therefore recommend that the City of Kingston consider donating the amount of $100. for this purpose.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

TELEPHONE 843-2033

THE MUNICIPAL CORPORATION
OF THE
Village of Iron Bridge

IRON BRIDGE, ONTARIO
P0R 1H0

JUN 28 1979

June 25, 1979.

R.J. Hamilton, C.A.O.
CITY OF KINGSTON
City Hall
Kingston, Ontario
K7L 2Z3

Dear Sir:

Please find enclosed a copy of a resolution declaring our municipality a disaster area.

Also enclosed is a letter of confirmation from Minister James A.C. Auld.

Please note that it is stated in this letter that 4 dollars for every 1 dollar raised will be matched up to a limit of 90% of the appraised claims. All claims will be processed through the claims committee before approval. These claims are primarily individual residences.

At this time, we would like to thank you for your serious consideration of contributing to the IRON BRIDGE DISASTER RELIEF FUND.

Yours very truly

Shirley Shackelton

Shirley Shackelton
Councilor in charge of the
IRON BRIDGE DISASTER RELIEF
FUND

SS/rm

MEMORANDUM OF AGREEMENT made in triplicate this twentieth day of June, A.D.1979,

BETWEEN: HER MAJESTY THE QUEEN in right of the Province of Ontario as represented by the Minister of Transportation and Communications, hereinafter referred to as the "Minister"

OF THE FIRST PART,

-and-

THE CORPORATION OF THE CITY OF KINGSTON, in the County of Frontenac, hereinafter referred to as the "Corporation"

OF THE SECOND PART.

WHEREAS the Corporation has proposed to improve a municipal airport located approximately four miles west of the City of Kingston in the Township of Kingston, County of Frontenac, known as the Norman Rogers Airport;

AND WHEREAS the Corporation has applied to the Minister for financial assistance;

AND WHEREAS the Minister has agreed to contribute financial assistance, pursuant to The Airports Act;

AND WHEREAS the Corporation has agreed to operate and maintain said airport as a public airport:

NOW THEREFORE THIS AGREEMENT witnesseth that in consideration of the premises the parties hereto, for themselves and their respective successors and assigns, hereby mutually agree each with the other as follows:

1. That the Corporation will endeavour to cause zoning by-laws and regulations to be enacted which may be necessary to control the height of structures on land on or about the airport in accordance with the current regulations of Transport Canada.
2. That buildings or structures shall not be erected on the airport nor the airport improved, altered or changed, sold or leased without the prior written consent of the Minister.

3. That a contract will not be awarded for the improvements hereinafter set out without the prior written approval of the District Municipal Engineer for District 8, Kingston.

4. That the improvements will be performed to plans and specifications approved by the said District Municipal Engineer.

5. That the Corporation shall maintain a separate record for all expenditures for which subsidy may be claimed, in such form and detail as the Minister may require and shall make such records together with all supporting documents available to the Minister for examination and audit upon request.

6. That the Minister will pay to the Corporation the contributions contemplated by this agreement from time to time as the work is completed and the final payment when satisfied the work has been completed in a good and workmanlike manner.

7. That the Minister, his employees and agents may enter upon the airport to inspect the airport and facilities from time to time.

8. That the Corporation shall comply with the Aeronautics Act and regulations made pursuant to that Act.

9. That the Corporation shall operate and maintain the airport to the standard necessary to hold a public airport license under the Aeronautics Act.

10. That the Corporation shall at all times indemnify and save harmless the Minister, his agents and employees, from and against any loss, damage, or injury and all actions, suits, proceedings, costs, charges, damages, expenses, claims or demands of any nature or kind arising out of or connected with the improvement, operation or maintenance of the airport.

11. That the works approved under this agreement, their costs and the contribution by the Minister are hereinafter set out:

	Description	Estimated Cost	Contribution by the Minister
(a)	Develop Airport Master Plan	$22,000	80% = $17,600
(b)	Renovate Runway 06-24 including Paving and Lighting	$224,800	50% = $112,400
	TOTAL	$246,800	$130,000

12. That the contribution by the Minister to the Corporation in respect of the aforesaid improvements estimated to cost Two Hundred and Forty-Six Thousand, Eight Hundred Dollars ($246,800), shall not exceed the sum of One Hundred and Thirty Thousand Dollars ($130,000).

IN WITNESS WHEREOF the Minister of Transportation and Communications on behalf of the party of the First Part has hereunto set his hand and the party of the Second Part has affixed its corporate seal attested by the hands of its proper officers duly authorized in that behalf.

SIGNED AND SEALED this day of A.D.1979.

½

Minister of Transportation and Communications

THE CORPORATION OF THE CITY OF KINGSTON

Mayor

Clerk

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
C. A. O.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

July 4, 1979

RE: Proposed Work at Norman Rogers Airport

Approval of the Minister of Ministry of Transportation and Communications is as follows:

	Estimated Cost	Subsidy	Net
Develop Airport Master Plan	22,000	17,600	4,400
Renovate Runway 06-24 including paving and lighting	224,800	112,400	112,400
	$246,800	130,000	116,800

Total 1979 funding approved by City Council

		$
1.	Capital Fund Allocation	84,200
2.	Revenue Fund	30,562
3.	Contributions from Current Funds	21,600
		$136,362
Add:	Subsidy as shown above	$130,000
	Gross amount of work that can be undertaken in 1979	$266,362

	$
Estimated contract for Runway Renovations including lighting	216,000
Master Plan	22,000
	$238,000
Other Capital Costs	$ 28,362
TOTAL	$266,362

Memo to - Mr. R.J.Hamilton, Chief Administrative Officer

Date - July 5, 1979

SUBJECT

Extension of the approval of one way traffic on Concession St from Alfred St to Division St.

ORIGIN

As recommended by the Public Works Committee the Council has passed a by-law to authorize the one way traffic on Concession St between Division St and Alfred St for a period from May 15 to July 24, 1979 in order to make the construction of storm sewer, watermain and asphalt pavement possible to be completed within the time allowed for this work.

ANALYSIS

The construction had beeb delayed by the following unforeseen facts -

1. Due to the poor condition of the existing sanitary sewer the charge of blasting has to be reduced.
2. The existing sewer has to be repaired in three locations (with water and gas mains over the sewer).
3. Rock profile is higher than information we have on hand.
4. Unforeseen space confliction with watermain at Division St.
5. Weather conditions.

It is apparent that if traffic is not be another factor resulting in a further delay and more inconvenience, an extension of the one way traffic pattern is necessary.

The present approval is until July 24, 1979 which means that action needs to be considered at the July 9 meeting.

Looking at the work completed and what remains to be done, an extension from July 24 to August 17 is needed. Police, P.U.C., Fire and Traffic and Streets have no objection.

RECOMMENDATION

That the extension of one way traffic on Concession St from Division to Alfred St from July 24 to August 17, 1979 be authorized.

P. Liang for
D.Graham, P.Eng
Commissioner of Works

pl/gg

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE

C. A. O.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

July 5, 1979.

TO Mayor and Council

RE: Kingscourt Public School Site

Members of Council will recall that we had prepared a report on this matter some time ago, which was referred to the Planning Board of City Council.

In the meantime, a Public Meeting was held on Wednesday, June 27, at the said school to obtain the views of the citizens of that area. The Mayor and a number of Aldermen who attended this meeting and the attached report from Mr. Fluhrer, sums up the discussions that prevailed. It is certainly clear that the public would like the Council to proceed to negotiate the purchase of this site.

We therefore recommend that Council authorize Mr. Fluhrer and myself to negotiate with the School Board for the purchase of these lands as quickly as possible. This property has been appraised by local valuers and it is recommended that we commence negotiations based on the lowest appraised value available, that is, $211,400. for the nine acres.

R. J. Hamilton,
C. A. O.

RJH:hh

MEMORANDUM

DEPARTMENT
OF
PARKS AND RECREATION

TO: R. J. Hamilton, C.A.O.

FROM: Douglas R. Fluhrer, Commissioner.

DATE: July 4, 1979.

RE: KINGSCOURT SCHOOL CLOSING - PURCHASE & PARK DEVELOPMENT

Further to my earlier reports to you and after the public meeting last week, I put forward my observations and recommendations.

The meeting was extremely well attended by both the public and our elected officials including the Mayor. The public was given, and took, maximum opportunity to speak and express their feelings, and I observed the following clear points came forward to us:

OBSERVATIONS

1. If the school must be closed and sold, the residents want the City to buy the property to preserve the open space for neighbourhood park purposes.
2. The residents do understand and agree that some of the school land will be divided into single family building lots and sold by the City to help offset the purchase costs. The actual layout and number of lots should go back in the form of a public meeting for their further consideration. The Mayor assured them this would be done.
3. The residents agreed and understood that a portion of Champlain Park could be subdivided into single family building lots if the park land left and directly north of the homes along Kirkpatrick Street is not less than three acres in size.

RECOMMENDATIONS

1. Council consider authorizing you to proceed to negotiate the purchase of Kingscourt School at a price fair to all concerned.
2. When this has been done and the price approved by Council, proceed with the public meeting to establish an acceptable layout for development on both Kingscourt School property and Champlain Park. This will require several sets of plans showing alternates, but these plans will only present technically and financially feasible proposals.

....Cont'd.

3. To determine what must be accomplished by way of dollar recovery through lot sales, we must consider:

   a) agreed purchase price of the school;
   b) demolition costs;
   c) park development costs;
   d) lot development costs (services:- water, sewer, power, gas, bell);
   e) marketing costs (sale of lots).

4. Lot locations on the Kingscourt School property, if placed along the existing border streets, Kingscourt Ave. and Oak St., will have very little development costs because most of the required services are already along the two streets. This will obviously render the best dollar for the City's purposes.

   While a park surrounded by homes does not represent good park planning, it is my feeling that in this case, with the proposed layout done by Planning, it will be acceptable and workable. It will also cause the least change in the surround to the existing abutting property owners.

5. The City could proceed this year (fall) to subdivide Champlain Park and thereby develop some cash flow and reduce interest costs.

6. All necessary zone changes and subdivision agreement procedures should be set in motion as soon as possible:

   Zone Change - Champlain Park 2+ acres
   Subdivision Agreement - Kingscourt
   - Champlain

CONCLUSION

In conclusion, I feel that this proposal, if accepted and executed as presented, will give the residents of the area a better distribution and use of park-open space, especially when considered in concert with the other existing park and school properties in the surrounding community.

Doug R. Fluhrer

Douglas R. Fluhrer,
Commissioner.

DRF/sw

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
C. A. O.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

July 5, 1979.

TO Mayor and Council

RE: 1979 Budget - Sale of Lands

Mr. Cousins has set out the fact that the City has budgeted for the sale of property, and some discussion has taken place concerning the south west corner of Bath Road and Portsmouth Avenue. The amount attached was $150,000. and Mr. Cousins is seeking the direction of Council whether they wish to sell this piece of property as this time.

Council will recall that in 1977 the Finance Committee would not accept a tender for the sale of this parcel, however it would seem that we should request proposals from interested parties for the sale of these lands. At present it is requested that Council may or may not accept the proposed tender call in future.

We would therefore request that Council authorize Mr. Cousins to obtain proposals for the sale of these lands immediately.

R. J. Hamilton,
C. A. O.

RJH:hh

JUN 29 1979

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE City Treasurer
CITY HALL
KINGSTON, ONTARIO

June 29, 1979

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: B. G. Cousens,
City Treasurer

RE: 1979 Budget

During the 1979 budget discussions, we budgeted $150,000. for sale of city property. While Council did not designate at the time what property would be sold, the discussions centered around the property at the south-west corner of Bath Road and Portsmouth Avenue.

Council should make a decision on whether or not they wish to sell this property, in order that we will receive this revenue this year and keep our budget in balance. If they decide that they do not wish to sell the property, then amendments should be made to re-budget so that we will not end up the year with a deficit.

I might also add that we also budgeted $45,000. for the sale of 920 Portsmouth Avenue. Mr. Lamb has had this property listed for three months and has not had a purchaser, as yet. If we do not sell this property before the end of the year, this will give us a further deficit in revenue of $45,000.

For your information, I attach herewith a memorandum from Mr. Healy that outlines the details of the property located at Bath Road and Portsmouth Avenue.

B G Cousens

BGC/jt
Encl.

FINANCE - C-4
FEB 9 1977
File No: 12-4.48

23

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
Clerk-Comptroller

CITY HALL
KINGSTON, ONTARIO

File No. 12-4-48

February 4, 1977

Memorandum to:

Mayor K. A. Keyes, Chairman, and
Members of the Finance and Accounts Committee

Re: Land Sale - South-West Corner Bath Road and Portsmouth Avenue.

See attached sketch of the two City owned parcels.

An appraisal was obtained in January of 1976 from Mr. Ross McMahon as follows:

Parcel 1 - 2. Acres -	$ 145,600.
Parcel 2 -1.1 Acres -	70,000.
Total	$ 215,600.

Appraisal was based on Zoning under By-Law No. 8499, which would be "B-1" (Multiple Family) and 28 units per acre (maximum) are permitted.

This would allow the erection of 56 units on Parcel No. 1 and 30 units on Parcel No. 2 for a total of 86 units.

The Finance Committee called for tenders for the sale of lands in August of 1976 and in September received the tenders as detailed on attached.

In October the Finance Committee decided not to accept any of the tenders.

At the last meeting of the Finance Committee the attached offer was received from Bob Martin Construction Co. Ltd.

A) 28 units/acre - $215,000.

or

B) if rezoned to permit 50 units/acre - $387,500.

Respectfully submitted,

M. C. Healy,
Deputy City Clerk.

MCH/dms
Enclosures.

DATA SHEET

SALE OF LAND AT THE CORNER OF BATH ROAD AND PORTSMOUTH AVENUE

PARCEL NO. 1 - 2 Acres - Unimproved (S/W Corner of Bath Road and Portsmouth Avenue).

PARCEL NO. 2 - 1.1 Acres - Unimproved (S/W Corner of Bath Road and Eldon Hall Place).

(SEE PLAN ATTACHED AS SCHEDULE "A").

LOCATION:

Parcel No. 1

Situated on south-west corner of Portsmouth Avenue and Bath Road with a frontage on these two thoroughfares. Also has frontage on Eldon Hall Place - the latter extending westerly from Portsmouth Avenue.

Parcel No. 2

South-west corner of Portsmouth Avenue and Eldon Hall Place directly opposite Parcel No. 1

ZONING:

By-Law No. 8499, passed by Council July 28th 1975 and awaiting final approval by the OMB zones these properties "B 1" (Multiple Family) and 28 units per acre (maximum) are permitted.

This would allow the erection of 56 units on Parcel No. 1 and 30 units on Parcel No. 2 for a total of 86 units.

See Chief Building Inspector re regulations for "B 1" zones.

EASEMENTS:

(a) 10 foot wide PUC easement extending the length of Parcel 2.

(b) Easement for a drainage ditch extending three-quarters of the length of Parcel 2.

NOTE: The PUC easement lies well toward the south boundary of Parcel 2 and probably would not interfere with construction.

The ditch easement crosses Parcel 2 and would restrict the location on the site of any proposed building.

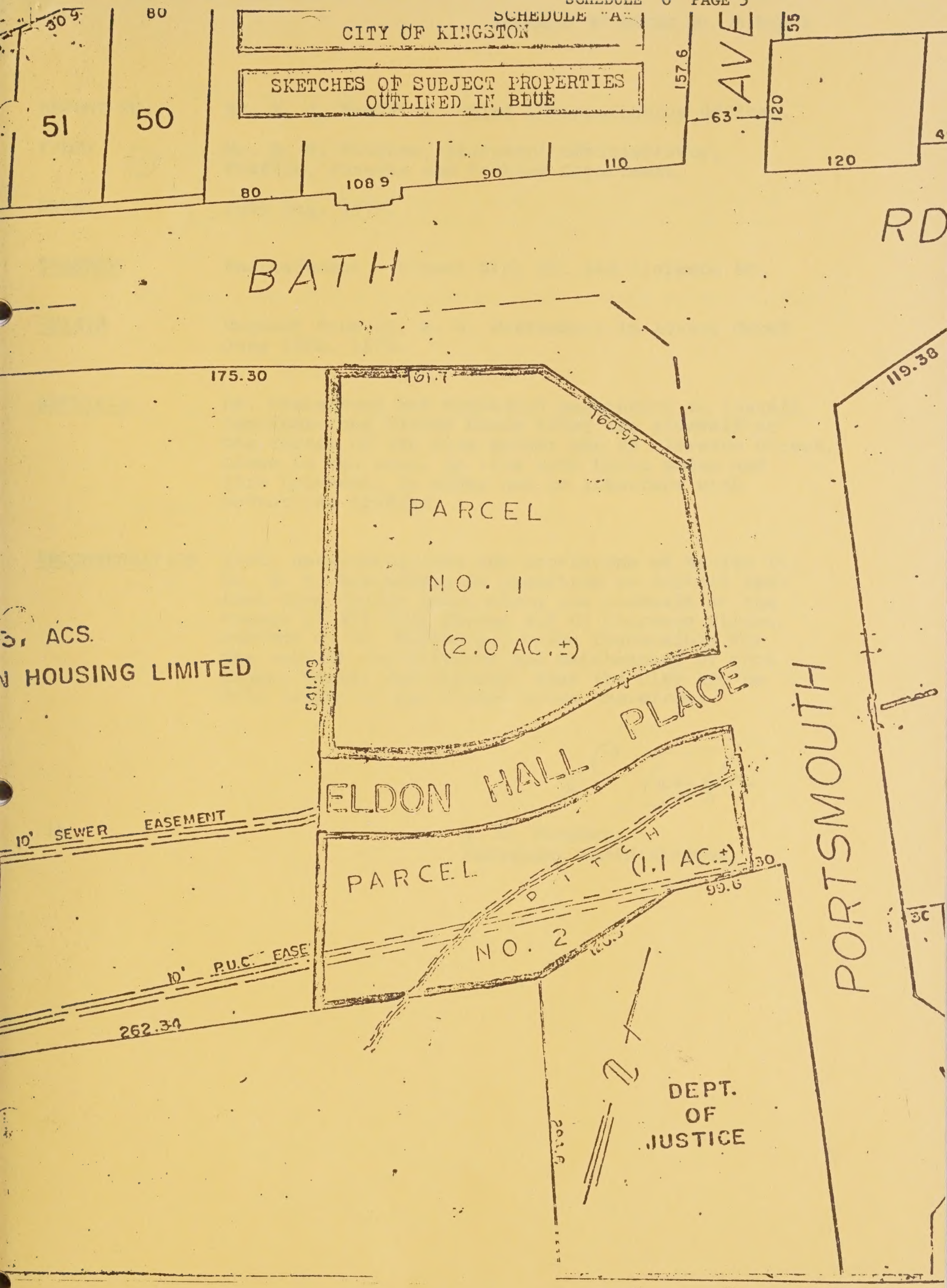
It is suggested that this problem could be eliminated by the tiling of the ditch and if necessary this water course could be altered slightly to a point towards the southerly boundary of the lot.

SERVICES: See Plan attached as Schedule "B".

SCHEDULE "A"

CITY OF KINGSTON

SKETCHES OF SUBJECT PROPERTIES
OUTLINED IN BLUE


30 9
80
51
50
80
108 9
90
110
157.6
AVE
63'
55
120
120
RD
BATH
175.30
161.7
160.92
119.38
PARCEL
NO. 1
(2.0 AC.±)
ACS.
HOUSING LIMITED
541.09
ELDON HALL PLACE
PORTSMOUTH
10' SEWER EASEMENT
PARCEL
DITCH
(1.1 AC.±)
30
99.6
NO. 2
10' P.U.C. EASE
262.34
DEPT.
OF
JUSTICE

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: Mr. E. W. Taugher, Assistant Administrator,
Traffic, Streets and Parking Department.

DATE: July 5th, 1979.

SUBJECT Encroachment - Corner King St. and Clarence St.

ORIGIN Request from Dr. H. H. Westenberg in letter dated June 27th, 1979.

ANALYSIS Dr. Westenberg has requested permission to install ten-foot-long flower boxes along the sidewalk at the corner of 300 King Street and 65 Clarence Street, close to the curb, in line with hydro poles and fire hydrants, in order not to interfere with pedestrian traffic.

RECOMMENDATION That, notwithstanding the provisions of By-law 10, Dr. H. H. Westenberg be permitted to install ten-foot-long flower boxes along the sidewalk at the corner of 300 King Street and 65 Clarence Street, subject to Dr. Westenberg being responsible for the cost of installation and maintenance of such flower boxes; and further, that the City not be held liable if any claims arise therefrom.

E Taugher

:lk

E. W. Taugher,
Assistant Administrator.

CITY COUNCIL MEETING NO. 28 July 9, 1979

COMMITTEE OF THE WHOLE

(A) That Council resolve itself into the Committee of the Whole to receive delegations and reports, with Mayor Keyes in the Chair.

(B) That Council Rise from the Committee of the Whole and the Chairman Report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the Report of the Committee of the Whole be adopted, approved and confirmed.

MOTIONS

BYLAWS

(A) That By-Laws 1 to 18 be given their First & Second Readings.

(B) That Rule No. 35 of By-Law 1 be suspended for the Purpose of Giving By-Laws 15 to 18 their Third Reading.

(C) That By-Laws 15 to 23 be given their Third Reading.

* * *

(1) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of The City of Kingston" (Rezone Lands North of Counter Street and West of Division Street to Industrial M, M.94, M.96, and Flood Plain FP).

(FIRST & SECOND READINGS) (Proposed No. 79-138)
Clause 1, Report No. 73, 1979

(2) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning By-Law of The Corporation of The City of Kingston" (Rezone 119 Barrack Street from Zone A (One and Two Family) Residential to Zone A.165 (One and Two Family) Residential).

(FIRST & SECOND READINGS) (Proposed No. 79-139)
Clause 4, Report No. 73, 1979

(3) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning By-Law of The Corporation of The City of Kingston" (Rezone 0.2 ha Parcel of Land on South-East Corner of King Street East and Maitland Street from zone A (One and Two Family) Residential to zone A.166 (One and Two Family) Residential AND amend Zoning of 47 Wellington Street by Deleting Section 56.(a)ii. Which Permitted Medical Offices Therein.)

(FIRST & SECOND READINGS) (Proposed No. 79-140)
Clause 5, Report No. 73, 1979

(4) A By-Law to Amend the Official Plan of the City of Kingston Planning Area (Amendment No. 2: Delete Section 2(78) Which Allowed Limited Medical Office Space Within 47 Wellington Street).

(FIRST & SECOND READINGS) (Proposed No. 79-141)
Clause 5, Report No. 73, 1979

(5) A By-Law to Authorize the Reconstruction of Certain Pavements (General Rate).

(FIRST & SECOND READINGS) (Proposed No. 79-142)
Clause 2, Report No. 74, 1979

(6) A By-Law to Authorize the Reconstruction of the Concrete Sidewalk on the West Side of Gray Street from 23.6 m North of Concession Street Northerly 30.48 m Under the Provisions of Section 7 of *The Local Improvement Act.* (Petition).

(FIRST & SECOND READINGS) (Proposed No. 79-143)
Clause 6(a), Report No. 74, 1979

(7) A By-Law to Authorize the Reconstruction of the Concrete Sidewalk on the East Side of Wellington Street from 1.83 m North of Queen Street Northerly 56.16 m Under the Provisions of Section 7 of *The Local Improvement Act.* (Petition)

(FIRST & SECOND READINGS) (Proposed No. 79-144)
Clause 6(b), Report No. 74, 1979

(8) A By-Law to Authorize the Reconstruction of the Concrete Sidewalk on the North Side of Brock Street from King Street Easterly 12.95 m Under the Provisions of Section 7 of *The Local Improvement Act.* (Petition)

(FIRST & SECOND READINGS) (Proposed No. 79-145)
Clause 6(c), Report No. 74, 1979

(9) A By-Law to Authorize the Reconstruction of the Concrete Sidewalks on the North Side of William Street from King Street East Easterly 9.15 m and on the West Side of King Street East from William Street Northerly 7.17 m Under the Provisions of Section 7 of *The Local Improvement Act.* (Petition)

(FIRST & SECOND READINGS) (Proposed No. 79-146)
Clause 6(d), Report No. 74, 1979

(10) A By-Law to Authorize the Reconstruction of the Concrete Sidewalk, Including Reconstruction of Boulevard and Concrete Curb, on the North Side of Brock Street from Ontario Street Easterly 37.8 m Under the Provisions of Section 7 of *The Local Improvement Act.* (Petition)

(FIRST & SECOND READINGS) (Proposed No. 79-147)
Clause 6(e), Report No. 74, 1979

(11) A By-Law to Authorize the Reconstruction of the Concrete Sidewalks on the West Side of Ontario Street from William Street Northerly 23.17 m and on the North Side of William Street from Ontario Street Westerly 3.35 m Under the Provisions.

(FIRST & SECOND READINGS) (Proposed No. 79-148)
Clause 6(f), Report No. 74, 1979

(12) A By-Law to Authorize the Construction of a 7.93 m Wide Asphalt Pavement, With Curbs, Gutters and Boulevards, on Indian Road from Glengarry Road to McMichael Street Under the Provisions of Section 7 of *The Local Improvement Act.* (Petition)

(FIRST & SECOND READINGS) (Proposed No. 79-149)
Clause 6(g), Report No. 74, 1979

(13) A By-Law to Authorize the Construction of a 7.93 m wide Asphalt Pavement, with curbs, gutters and Boulevards, on Dorance Street from Victoria Street Easterly to the End Under the Provisions of Section 7 of *The Local Improvement Act.* (Petition).

(FIRST & SECOND READINGS) (Proposed No. 79-150)
Clause 6(h), Report No. 74, 1979

(14) A By-Law to Authorize the Construction of a Storm Sewer in Dorance Street from Victoria Street easterly 77.77 m and Including Non-Abutting, Equally Benefited, Frontage from 77.77 m East of Victoria Street Easterly 3.05 m, Under the Provisions of Section 7 of *The Local Improvement Act*. (Petition)

(FIRST & SECOND READINGS) (Proposed No. 79-151)
Clause 6(i), Report No. 74, 1979

(15) A By-Law to Authorize the Execution of an Agreement with Her Majesty the Queen In Right of the Province of Ontario as Represented by the Minister of Transportation and Communications (Financial Assistance - Norman Rogers Airport).

(THREE READINGS) (Proposed No. 79-152)
Clause 15, Report No. 74, 1979

(16) A By-Law to Amend By-Law No. 79-98, "A By-Law to Close Temporarily, A Portion of Concession Street between Division Street and Alfred Street During Construction of Underground Services and Reconstruction of Road (East Bound Lane). (Extend Period of Closing to August 17, 1979)

(THREE READINGS) (Proposed No. 79-153)
Clause 16, Report No. 74, 1979

(17) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets" (Flower Boxes on Sidewalk at Curb on Corner of King Street East and Clarence Street).

(THREE READINGS) (Proposed No. 79-154)
Clause 19, Report No. 74, 1979

(18) A By-Law to Confirm the Proceedings of Council at its Meeting Held July 9, 1979.

(THREE READINGS) (Proposed No. 79-155)
City Council Meeting No. 28, 1979

(19) A By-Law to Amend By-Law No. 495, "A By-Law to Provide for a Parking Meter Zone in Certain Streets or Portions Thereof, and to Provide for the Installation, Regulations, Supervision and Control of such Parking Meters". (Clause 10, Report No. 71).

(THIRD READING) (Proposed No. 79-128)
Clause 10, Report No. 71, 1979

(20) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act."

(THIRD READING) (Proposed No. 79-129)
Clauses 16, 18, 22 and 26)

(Note: Ministry of Transportation and Communications approval NOT required)

(21) A By-Law to Amend By-Law No. 495, "A By-Law to Provide for a Parking Meter Zone in Certain Streets or Portions Thereof, and to Provide for the Installation, Regulations, Supervision and Control of Such Parking Meters" (Clause 22, Report No. 71).

(THIRD READING) (Proposed No. 79-135)
Clause 22(a), Report No. 71, 1979

(22) A By-Law to Repeal By-Law 9034, "A By-Law to Stop Up and Close Queen's Crescent between University Avenue and Albert Street".

(THIRD READING) (Proposed No. 79-136)
Motion - City Council Meeting No. 26, Page 806

(23) A By-Law to Amend the Official Plan of the City of Kingston Planning Area (Amendment No. 1: Industrial Park, North of Counter Street)

(THIRD READING) (Proposed No. 79-83)
Clause 1, Report No. 46, 1979

UNFINISHED BUSINESS

ADJOURNMENT

Dup

Local Govt

CITY COUNCIL MEETING NO. 28

The regular meeting of City Council was held on Monday, July 9, 1979 in the Council Chamber, City Hall at 8:05 p.m. His Worship Acting Mayor Gerretsen presided.

ROLL CALL

Acting Mayor J.P. Gerretsen, Ald. Bishop, Ald. Clark, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb (12)

MINUTES

Moved by Ald. Bishop,
Seconded by Ald. Clark,

That the Minutes of Council Meeting No. 26 held on June 25, 1979 be adopted as printed.

CARRIED

PETITIONS

COMMUNICATIONS

Council consented to the addition of Communication Nos. 373 to 387.

Filed

(356) From the office of The Secretary of State for External Affairs thanking the City for its letter of June 19, 1979 regarding Council's motion of June 18, 1979 concerning refugees in Malaysia and advising that, once Departmental officials have reported on this matter, the Honourable Flora MacDonald will be replying to the City personally.
(File No. 3-6)

(357) From the CORTS Advisory Committee (Canada-Ontario Rideau, Trent-Severn) forwarding a copy of their annual report to the City outlining the committee's activities in 1978/1979.

(File No. 3-17)

Referred to the Kingston Area Planning Board and the Industrial Commissioner and the Traffic, Streets and Parking Administrator

(358) From the Official Plans Branch, Ministry of Housing, enclosing a copy of Proposed Amendment No. 14 to the Official Plan for the Township of Kingston Planning Area altering the provisions of the Official Plan insofar as ROADS are concerned in order to implement the recommendations of their 1976 Roads Needs and Transportation Study and alterations to the municipal boundary.

The amendment provides, among other things:

> *"While the alignment of all existing and proposed freeway, arterial, and collector roads is shown on Schedule "A", the location of the proposed two-lane arterial road between Front Road and Highway Number 33 east of the Airport lands is shown in a general delineation only, and any two-lane arterial road satisfying the linkage requirements of the proposed road shall be deemed to conform to The Roads Plan."*

Comments are requested to be submitted before July 26, 1979.
(File No. 1-2.1-4 and No. 21-4.11)

COMMUNICATIONS (Cont'd)

Filed

(359) Copy of a letter to the Grand Theatre from the Ontario Liquor Licence Board of Ontario acknowledging receipt of an application for lounge facilities in the following locations in the Grand Theatre: Lounge No. 1 (Main Floor) 35 persons
Lounge No. 2 (Second Floor) 199 persons
(File No. 12-6)

Filed

(360) From the International Joint Commission, Windsor Ontario, forwarding their booklet to the City entitled, "Great Lakes Focus on Water Quality".
(File No. 9-5)

Referred to the Chief Administrative Officer

(361) From the Corporation of the Town of Hawkesbury requesting that the City endorse the following resolution:

> *"Resolved that in the interest of conserving energy and of increasing productivity, a recommendation be made to the Minister of Energy that the month of April be added to the Daylight Saving Time period, to take advantage of the early morning day light hours and that a copy of this resolution be submitted to all municipalities in Ontario for their endorsement."*

(File No. 19-7)

Filed

(362) From the Honourable Claude F. Bennett, Minister of Housing, notifying of his approval of the City's application for a Provincial grant of $210,740,000. for the Ontario Home Renewal Programe in Kingston for the current fiscal year; submitting an accountable advance of $52,723.19 and notifying that commitments made to homeowners must not exceed the amount of the advance until such time as the City requests and receives further accountable advances.
(File No. 8-3.18)

Referred to the Planning Board

(363) From Queen's University, submitting their application for zone change requesting permission to relocate their Day Care Facilities from 169 Union Street to 96 Queen's Crescent which is presently zoned "A" residential.
(File No. 25-2)

Referred to the Chief Administrative Officer

(364) From The Municipality of Metropolitan Toronto forwarding a copy of Clause No. 4 of Report No. 10 of The Social Services and Housing Committee, entitled, "Final Report of the Provincial-Metropolitan Toronto Task Force on the Elderly Persons Centres Act", which was adopted, without amendment, by the Council of The Municipality of Metropolitan Toronto at its meeting held on June 19, 1979 and a copy of the Final Report of the Provincial-Metro Task Force on the Elderly Persons Centres Act.
(File No. 17-9.8)

Filed

(365) From The Liquor Licence Board of Ontario notifying the City of an application made by the House of Peking Restaurant at 479 Princess Street, Kingston, for a dining lounge licence and stating that, when the application has been scheduled for a public hearing, the Board will provide the City with a copy of their letter to the applicant setting out the date, time and place of the hearing.
(File No. 365)

Referred to the Committee of the Whole - Re: Clause 6, Report No. 46

(366) From the Frontenac County Board of Education informing the City that Trustees, Mr. P.H. Watson and Mr. J.W. Bannister, both of Kingston, were appointed as the Board's representatives to the City's Study Group on the Effect of Declining School Enrolments on the Municipality. (See Clause 7, Report No. 74)
(File No. 3-6)

Referred to the Committee of the Whole - Re: Clause 6, Report No. 46

(367) From the Frontenac-Lennox and Addington County Roman Catholic Separate School Board advising the City that Reverend D.P. Clement of the Holy Family Parish, in Kingston, has been named by the Board to be the representative to the study group for the discussion of the matter of school requirements for the City. (See Clause 7, Report No. 74).
(File No. 3-6)

Referred to the Chief Administrative Officer

(368) From the Corporation of the Township of Dover, Chatham, Ontario, requesting financial assistance from the City because of flooding damage to the area on March 8 and 9, 1979 when the river Thames overflowed its banks. The Provincial Government has declared the area a disaster and people in the affected area have submitted claim forms for essential items amounting to approximately $300,000.00.
(File No. 7-3)

Filed

(369) From Mrs. Margaret Cowan, thanking the City for the flowers sent to her on the occasion of her 87th birthday.
(File No. 3-6)

(370) From the Ministry of Community and Social Services informing the City that Mr. David Morrow, Social Services Supervisor, in the Kingston Area has agreed to be a representative of the Ministry Office for the Welfare System Committee.
(File No. 20-5.3)

COMMUNICATIONS (Cont'd)

(371) From the Honourable Keith Norton thanking the City for the copies he has received of resolutions concerning heritage buildings and the Ontario Building Code, and the seven per cent retail sales tax on Cable TV.
(File No. 19-7)

Referred to the Tourist and Visitors Bureau

(372) From Mrs. Helen Richards Campbell suggesting that the City of Kingston produce an aluminum token which advertizes a unique feature of Kingston and which could be sold as a tourist souvenir or made available at conventions and other occasions.
(File No. 21-8)

Referred to the Planning Board and L.A.C.A.C.

(373) From Mr. L.R. Olsson, Director, Toronto Regional Office, Department of Justice, Canada, objecting to the designation of the following properties as subject to the *Ontario Heritage Act:*

(a) St. Helen's - 440 King Street West (which houses part of the Solicitor General's Regional Headquarters staff)

(b) Building No. A-3 - Gardener's Building

(c) Building No. 2 - Coach House (Penitentiary Archives and Museum)

- and -

requesting that the City amend the designation by-laws to delete these properties or not proceed further with the designations,

- and -

enclosing a copy of a 1976 City of Toronto resolution, where a similar problem had arisen, accepting that the *Ontario Heritage Act* did not bind the Queen in Right of Canada nor to properties of the Province of Ontario.

(Note: Copy of letter distributed to all members of Council)

(File No. 2-4.1)

Referred to the Kingston Planning Board and L.A.C.A.C.

(374) From Mr. N. Jackson, City Solicitor, in answer to Council's resolution (R.67(5)79) directing him to prepare a by-law providing for designation of Provincial and Federal owned historic buildings on condition set out in the clause, stating:

> "Before the by-law can be drawn, there has to be Notice of Intention to Designate pursuant to Section 29 of The Ontario Heritage Act sent to the owners.
>
> The intention should reflect the conditions approved of by council for the designation. A previous by-law enacted, notwithstanding that an objection was filed, should be repealed since a by-law cannot be enacted if there is an objection registered until The Ontario Heritage Foundation have held a hearing and recommended designation to City Council."

COMMUNICATIONS (Cont'd)

Referred to the Commissioner of Works

(375) From Shelley Davies, a visitor from Ottawa, commenting on the uncleanliness of Kingston's downtown streets as they were littered with garbage.
(File No. 20-8)

Referred to the Planning Board

(376) From The Corporation of The Township of Kingston notifying of the passing of their zoning by-law No. 79-49 affecting property in the Township north of Highway 401 and the north limits of the City of Kingston which deletes their "proposed airport restricted Zone A3" and substitutes "Agricultural Type Two (A2)" Zone and also revises regulations of their "A1" and "A2" Zones.

- and -

that the last day for filing objections is July 25, 1979.

(File No. 21-4.11)

Filed

(377) Minutes of the Frontenac County Board of Education for the year 1977 and the year 1978.

(File No. 6-5)

Filed

(378) From the family of the late Mr. Nesbitt thanking the City for their flower arrangement.
(File No. 3-6)

(379) From the City of St. Catharines notifying that at their regular meeting of Council on July 3, 1979 the resolution of the City of Kingston requesting an amendment to Section 304 of the Municipal Act, RSO 1970, Chapter 284 to increase the annual tax of $50.00, that municipalities may charge hospitals, mental health facilities, universities, community colleges and correctional institutions, (was endorsed).
(File No. 19-7)

(380) From the Honourable Flora MacDonald thanking City Council for its motion of congratulations upon her appointment as Secretary of State for External Affairs.
(File No. 3-6)

Referred to the Commissioner of Works

(381) From the Ministry of Natural Resources enclosing a copy of Bill 127 "An Act to Revise the Pits and Quarries Control Act, 1971" and requesting that the City review this Bill and forward their comments to the Ministry by September 15, 1979.
(File No. 17-9)

COMMUNICATIONS (Cont'd)

Filed

(382) Copy of a letter to Howard Johnson's Confederation Place Hotel from the Liquor Licence Board of Ontario acknowledging receipt of an application for a liquor licence (revised plans) for a new service bar to be installed in a section of the kitchen with an opening into the lounge.
(File No. 12-6)

(383) From the Ministry of Transportation and Communications advising the City that they have directed a second advance payment of subsidy (highways) in the amount of $369,300. which is a further 30% of the initial subsidy allocation rounded to the nearest $50.00 and that the cheque will be mailed to the City Treasurer in due course.

(File No. 17-9.1)

(384) From The Corporation of the Town of Oakville advising the City that on July 3, 1979 Oakville Town Council endorsed the City of Kingston's Resolution Requesting an amendment to Section 304 of The Municipal Act, RSO 1970, Chapter 284 to increase the annual tax of $50.00 that municipalities may charge hospitals, mental health facilities, universities, community colleges and correctional institutions,(was endorsed.)
(File No. 19-7)

Filed

(385) From The City of London, Ontario advising the City that on July 3, 1979 the Municipal Council endorsed the City of Kingston's Resolution Requesting an amendment to Section 304 of The Municipal Act, RSO 1970, Chapter 284 to increase the annual tax of $50.00 that municipalities may charge hospitals, mental health facilities, universities, community colleges and correctional institutions, (was endorsed.)
(File No. 19-7)

(386) From The Cataraqui Region Conservation Authority Executive Committee, a copy of their minutes of a meeting held on June 20, 1979.
(File No. 3-6)

Referred to the P.U.C. and City Treasurer

(387) From the Ministry of Transportation & Communications acknowledging receipt of the City's interim request for subsidy payment for public transit assistance and advising that the request has been forwarded to their General Accountant for payment of subsidy in the amount of $158,849.00.

(File No. 17-11.2)

COMMITTEE OF THE WHOLE

(A) Moved by Ald. Clark,
Seconded by Ald. Gorham,

That Council resolve itself into the Committee of the Whole to receive delegations, communications and reports, with Acting Mayor Gerretsen in the Chair.

CARRIED

(B) Moved by Ald. Matthews,
Seconded by Ald. Miller,

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED

Acting Mayor Gerretsen reported that the following delegations were received and Communications and Report Nos. 73 and 74 were considered in the Committee of the Whole as follows:

DELEGATIONS

1) Major R.A. Newbury spoke regarding the request that the City enter into an Agreement to purchase services from the Salvation Army for the provision of emergency accommodation for male Kingston residents for the period September 1, 1979 to December 31, 1979 inclusive.

(Note: a copy of the brief of the Salvation Army was distributed to all members of Council with the Agenda)

2) Mr. Walter Malaniuk, CDM Construction Company, spoke with regard to the Watts-Silver Subdivision on Portsmouth Avenue and the issuance of building permits.

(Note: a copy of the letter from Mr. Walter Malaniuk was distributed to all members of Council with the Agenda)

COMMUNICATIONS

) Notice from the Township of Kingston of application to the Ontario Municipal Board for approval of Zoning By-Law No. 79-55 was received and filed.

The Director of Planning and Urban Renewal reported that this by-law will allow Highway Commercial uses on a small tract of land on the north side of Highway No. 2 in the vicinity of Highway No. 38 which is about 3 miles from the City limits and would not appear to affect the City of Kingston in any way.

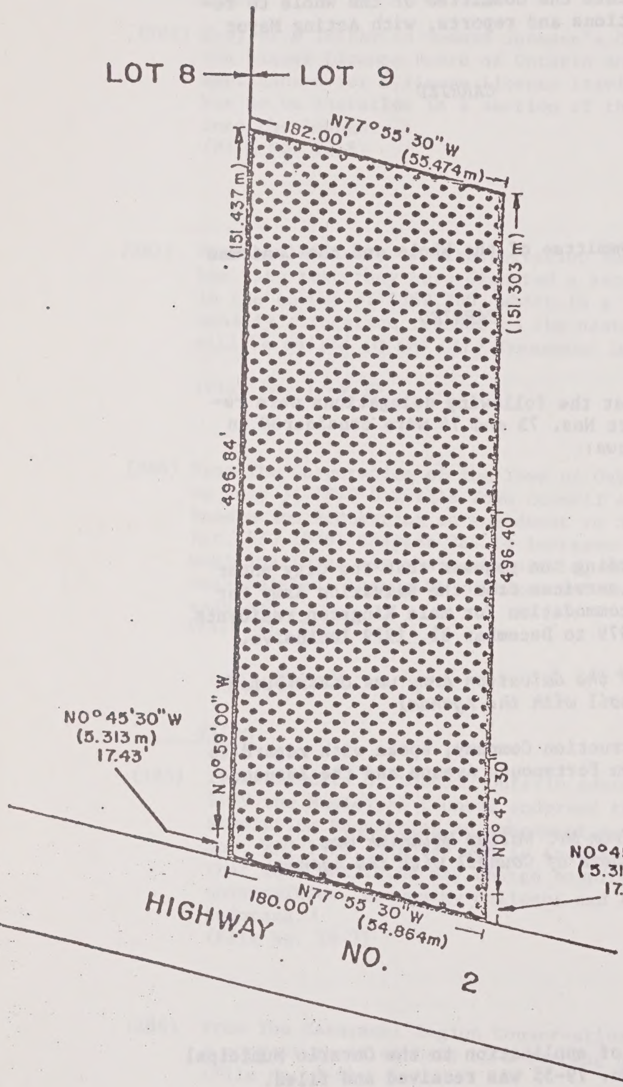
) Ald. Gorham declared a conflict of interest since he is Solicitor for one of the parties involved.

Notice from the Township of Kingston of application to the Ontario Municipal Board for approval of Zoning By-Law No. 79-54 was received and filed.

The Director of Planning and Urban Renewal reported that this by-law rezones for commercial purposes and a horse barn a triangular piece of land at the junction of Perth Road and McAdoo's Lane about one quarter of a mile north of the City limits north of Highway 401. This rezoning would not appear to affect the City of Kingston.

Communication (a)

SCHEDULE "A"
TO BY-LAW NO. 79-5
PART OF LOT 9, CON. 3
TOWNSHIP OF KINGSTON


LOT 8
LOT 9
182.00'
N77°55'30"W
(55.474m)
(151.437 m)
(151.303 m)
496.84'
496.40'
N0°59'00"W
N0°45'30"
N0°45'30"W
(5.313m)
17.43'
N0°45'30"W
(5.313 m)
17.43'
180.00'
N77°55'30"W
(54.864m)
HIGHWAY
NO.
2

LEGEND

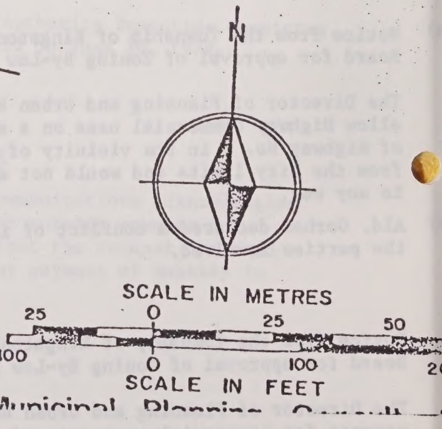
▨ ZONE CHAN
TO

THIS IS SCHEDULE "A"
TO BY-LAW NO. 79-55 PASSED
THE 19th DAY OF June, 1979.

REEVE

(SEAL)

CLERK


SCALE IN METRES
25
0
25
50
100
0
100
20
SCALE IN FEET

DRAFTED: MAY 15,1979
DWG NO 3971-79-90

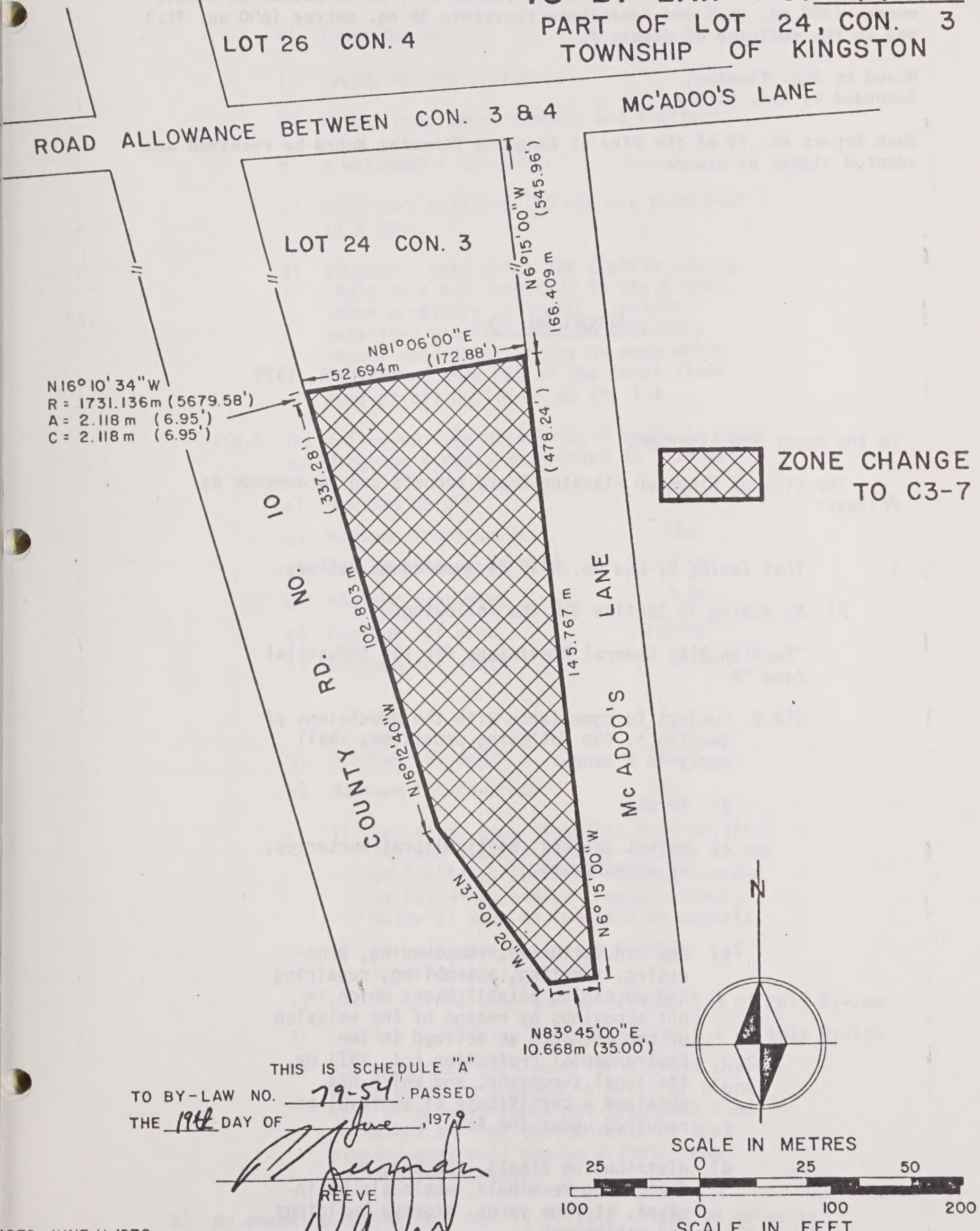
Municipal Planning C

Communication (b)

SCHEDULE "A"

TO BY-LAW NO. 79-54

PART OF LOT 24, CON. 3
TOWNSHIP OF KINGSTON


LOT 26 CON. 4
ROAD ALLOWANCE BETWEEN CON. 3 & 4
MC'ADOO'S LANE
LOT 24 CON. 3
N6°15'00"W
166.409 m
(545.96')
N81°06'00"E
52.694 m
(172.88')
N16°10'34"W
R = 1731.136 m (5679.58')
A = 2.118 m (6.95')
C = 2.118 m (6.95')
(337.28')
(478.24')
102.803 m
N16°12'40"W
145.767 m
N37°10'20"W
N6°15'00"W
N83°45'00"E
10.668 m (35.00')
COUNTY RD. NO. 10
Mc ADOO'S LANE
ZONE CHANGE TO C3-7
N
SCALE IN METRES
25
0
25
50
100
0
100
200
SCALE IN FEET

THIS IS SCHEDULE "A"
TO BY-LAW NO. 79-54 PASSED
THE 19th DAY OF June, 1979

REEVE

(SEAL)

CLERK

ISED: JUNE 11,1979
FTED: MAY 18,1979

Municipal Planning Consultants

REPORTS

Report No. 73 - City of Kingston Planning Board

Ald. Timmins presented Report No. 73 of the City of Kingston Planning Board.

Council consented to the amendment of Clause 4 2) b) to delete 28 square metres (300 sq. ft.) and substitute therefore 56 sq. metres (600 sq. ft.) and to the addition of Clause 7.

Moved by Ald. Timmins,
Seconded by Ald. Miller,

That Report No. 73 of the City of Kingston Planning Board be received and adopted clause by clause.

REPORT NO. 73

July 4, 1979

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. That Zoning By-Law No. 8499 be amended as follows:

A) By adding as Section 31A the following:

"Section 31A: General Provisions for the Industrial Zone 'M'

31A.2 Subject to compliance with the provisions of Section 5, the following provisions shall apply in M zones:

a) farms,

b) market gardens, horticultural nurseries, or greenhouses

c) any manufacturing, compounding, processing, treating, assembling, repairing and packaging establishment which is not obnoxious by reason of the emission of contaminants as defined in The Environmental Protection Act, 1971 or its legal successor, and which has obtained a certificate of approval as required under the Act,

d) distributing plants, trucking or freighting terminals, wholesale businesses, storage yards, storage buildings and warehouses,

REPORTS (Cont'd)

Report No. 73 - City of Kingston Planning Board

1. A) (Cont'd)

e) laboratories,

f) laundries and cleaners,

g) animal hospitals, kennels and shelters,

h) a watchman's quarters,

i) accessory buildings to any use permitted in M zone,

j) accessory uses which are clearly subordinate to a use permitted in the M zone. These accessory uses will include retailing provided that no accessory retail uses shall occupy an area which is greater than 25% of the total floor area of all buildings on the lot.

31A.3 The following regulations shall apply to lands buildings or structures erected in M zones:

a)	Maximum height	13.5m
b)	Minimum front yard	15m
c)	Minimum side yard	7.5m
d)	Minimum rear yard	7.5m
e)	Minimum lot area	2,200m^2
f)	Minimum lot width	36.5m
g)	Minimum lot depth	60m
h)	Maximum lot coverage	60%

i) For those uses listed in Section 31A.2 (d) and similar uses, a minimum of 20% of the total lot area must be covered by buildings and/or a hard surface material such as concrete or asphalt.

ii) For all other uses the Minimum Lot coverage shall be 20%.

i) Off-street parking as per Section 5.3 of this By-Law.

j) Loading facilities as per Section 5.4 of this By-law.

k) Any permitted yard used for storage shall be screened by a hedge, a brick or stone wall or painted fence not less than 1.8m in height so that the contents of that storage area will not be visible from any public roadway."

B) By amending Zoning Maps No. 1, 2, 3, 8, 9 and 10 so as to zone the area located north of Counter Street and East of Division Street M, M.94, M.96 and FP as shown on Schedules A, B, C, D, E and F, attached hereto.

C) By deleting Sections 94 and 96 in their entirety and replacing them with the following:

REPORTS (Cont'd)

Report No. 73 - City of Kingston Planning Board

1. C) (Cont'd)

"94. On the approximately 0.8 ha parcel of land located on the south side of Dalton Avenue and designated M.94 on a copy of Zoning Map No. 2 attached to and forming part of By-Law No79-138as Schedule 'B', an automatic weigh scale with a front yard of 3m shall be a permitted use."

"96. On the approximately 12.34 ha parcel of land located on the north side of Counter Street, west of Lappan's Lane and designated M.96 on a copy of Zoning Map No. 9 attached to and forming part of By-Law No.79-138 as Schedule 'E', the following uses shall also be permitted:

i. Reconditioning and selling of used machinery.

ii. Scrap ferrous and non-ferrous metal storage and processing.

The land to be used for scrap ferrous and non-ferrous metal outside storage shall be restricted to an area on the subject property north of a line 58m from Counter Street to be adequately screened with said screening to be satisfactory to the City."

D) By deleting Sections 87, 88, 89, 90, 93, 95 and 105 in their entirety.

(See By-Law 1: No. 79-138)

CARRIED AS AMENDED
(See following motion of amendment)

Moved by Ald. Hawkins,
Seconded by Ald. Gorham,

That Clause 1 A) j) be amended by deleting 10% and replacing with 25%.

CARRIED

2. WHEREAS Bill 96, 'An Act to Amend The Planning Act', was given one reading by the Ontario Legislature on May 17, 1979; and

WHEREAS the proposed legislation would delete Section 35 (a) of The Planning Act (Development Control) and replace it with a new section which would, among other things, delete power of a municipality to request perspective, elevation and cross section drawings, thus seriously reducing the right of a municipality to exert some measure of architectural control over development;

THEREFORE BE IT RESOLVED THAT the Province of Ontario be informed that the City of Kingston does not endorse removing from the Planning Act, the right for municipalities to request perspective, elevation and cross section drawings as a condition of approval of development.

CARRIED

REPORTS (Cont'd)

Report No. 73 - City of Kingston Planning Board

3. That, as recommended by the Downtown Core Committee, the proposal call prepared by the Director of Planning and Urban Renewal in connection with proposals for the redevelopment of a designated area in the downtown core of the City of Kingston be approved; and further, that advertisements calling for development proposals be placed in the following publications: *The Kingston Whig-Standard; The Globe and Mail; The Financial Post; Daily Commercial News.*

(Copies of the proposal call have been distributed to all members of Council)

CARRIED AS AMENDED
(See following motion of amendment)

Moved by Ald. Knapp,
Seconded by Ald. Bishop,

That the proposal call for the redevelopment of a designated area in the downtown be amended to provide for a deadline for receipt of proposals of October 15, 1979 and further that the amount of the bid bond or other security shall be determined by the City Solicitor.

CARRIED

4. WHEREAS Mr. W. Gay has applied to have the zoning for 119 Barrack Street amended in order to permit the construction of a 7.6m by 18.3m (25 ft. by 60 ft.) addition to the existing building at this location and its occupancy by professional offices; and

WHEREAS the Official Plan permits the establishment of professional offices in residential areas provided they are properly located and controlled; and

WHEREAS the site is separated from the low density residential community to the north by an apartment building and the Queen's University printing plant;

THEREFORE BE IT RESOLVED that By-Law No. 8499 be amended as follows:

1) By amending Zoning Map No. 18 so as to rezone the approximately 0.07 ha parcel of land located on the northeast corner of Barrack and Bagot Streets as shown on a copy of Zoning Map No. 18 attached hereto as Schedule 'G', from Zone A (One and Two Family) Residential to Zone A.165 (One and Two Family) Residential.

2) By adding as Section 165 the following:

"165. On the approximately 0.07 ha parcel of land located on the north east corner of Barrack and Bagot Streets and designated A.165 on Zoning Map No. 18 attached to and forming part of By-Law No. 79-138 as Schedule 'A':

REPORTS (Cont'd)

Report No. 73 - City of Kingston Planning Board

4. (Cont'd)

2) Continued

a) The permitted uses shall also include professional offices having a maximum total floor area of 335 square metres (3600 sq. ft.)

b) A minimum of 1 on site parking space for every 56 square metres (600 sq. ft.) of professional office space shall be provided.

c) There shall be no required front, side, or rear yards.

d) The permitted use in Section 165(a) and any alteration or addition thereto shall be subject to the regulations for Development Control as set out in Sections 5.30 subsections (a), (b) and (d) of By-Law No. 8499.

(See By-Law 2: No. 79-139) *CARRIED AS AMENDED*

5. WHEREAS Dr. H. Westenberg has applied to rezone the property at the southwest corner of King and Maitland Streets in order to permit the location of physicians' offices; and

WHEREAS the Official Plan permits the establishment of professional offices in residential areas provided that they are properly located and controlled;

THEREFORE BE IT RESOLVED THAT By-Law No. 8499 be amended as follows:

1) By amending Zoning Map No. 31 so as to rezone the approximately 0.2 ha parcel of land located on the southeast corner of King and Maitland Streets as shown on a copy of Zoning Map No. 31 attached hereto as Schedule 'H' from Zone A (One and Two Family) Residential to Zone A.166 (One and Two Family) Residential.

2) By adding as Section 166 the following:

"166. On the approximately 0.2 ha parcel of land located at the southeast corner of King and Maitland Streets and designated A.166 on a copy of Zoning Map No. 31 attached to and forming part of By-Law No. 79-140 as Schedule 'A':

a) The permitted uses shall also include professional offices having a maximum total floor area of 140 square metres (1,500 sq. ft.) provided they are located in the existing building;

b) A minimum of 1 parking space for every 28 square metres (300 sq. ft.) of professional office space shall be provided;

c) The required commercial off-street parking spaces may be located in the front yard of the building.

- AND -

REPORTS (Cont'd)

Report No. 73 - City of Kingston Planning Board

5. (Cont'd)

BE IT FURTHER RESOLVED THAT:

a) The Official Plan be amended so as to delete Section 2 (78).

b) By-Law No. 8499 be amended so as to delete Section 56 (a) ii in its entirety.

(Note: The above two items a) and b) refer to a site at 47 Wellington Street, for which Dr. Westenberg was granted permission to locate a professional office. He has agreed to relinquish this right if the above clause with respect to 81 King Street is approved).

(See By-Laws 3 and 4: No. 79-140 and 79-141)

CARRIED
Ald. Matthews opposed

Ald. Lampropoulos withdrew at 9:32 p.m. and returned at 9:36 p.m.
Ald. Bishop withdrew at 9:30 p.m. and returned at 9:35 p.m.

6. WHEREAS the Kingscourt Public School site of 9 acres has been declared surplus by the Frontenac County Board of Education and has been offered for sale to the City; and

WHEREAS the Planning Board is of the opinion that acquisition of the site for public purposes is in the interests of the City; and

WHEREAS the Board is also of the opinion that development of portions of the school site and of Champlain Park for residential single family lots is acceptable in order to offset the cost of requiring the school site:

THEREFORE BE IT RESOLVED THAT the City approve in principle the acquisition of Kingscourt Public School site and the Chief Administrative Officer be authorized to negotiate the price with the Frontenac County Board of Education and present a report to Council on the financing, servicing, subdivision plans, park closing and rezoning required for the development for residential single family lots of portions of the school site and of Champlain Park.

CARRIED AS AMENDED
See following motions of amendment

Moved by Ald. Clark,
Seconded by Ald. Bishop,

That Clause 6, Report No. 73, be amended to delete the words "offset the cost of acquiring the school site" and substitute the words, "recover the total costs."

LOST 1:11

Moved by Ald. Miller,
Seconded by Ald. Webb,

That Clause 6, Report No. 73, be amended to delete the words "in accordance with the preliminary plan prepared by the Planning Department in consultation with the Parks and Recreation Department, as amended subsequent to a public meeting" so that Clause 6, Report No. 73, shall now read as follows:

REPORTS (Cont'd)

Report No. 73 - City of Kingston Planning Board

6. (Cont'd)

THEREFORE BE IT RESOLVED THAT the City approve in principle the acquisition of Kingscourt Public School site and the Chief Administrative Officer be authorized to negotiate the price with the Frontenac County Board of Education and present a report to Council on the financing, servicing, subdivision plans, park closing and rezoning required for the development for residential single family lots of portions of the school site and of Champlain Park.

CARRIED

Ald. Knapp, Ald. Hawkins & Ald. Lampropoulos opposed

7. That, as recommended by the Development Control Committee, the following plans, submitted by A.F. Van Herpt, for an addition to the auto sales and service building located at 848 Portsmouth Avenue:

Plan #1 - Elevation & Floor Plan - Scale as shown - May, 1979

(A.W. Consultants, Designer)

be approved, subject to the owner entering into a development control agreement which shall include the following conditions:

a) that development shall be in accordance with the above listed plans;

b) that the proposed exit door shown on the south side of the addition shall be deleted.

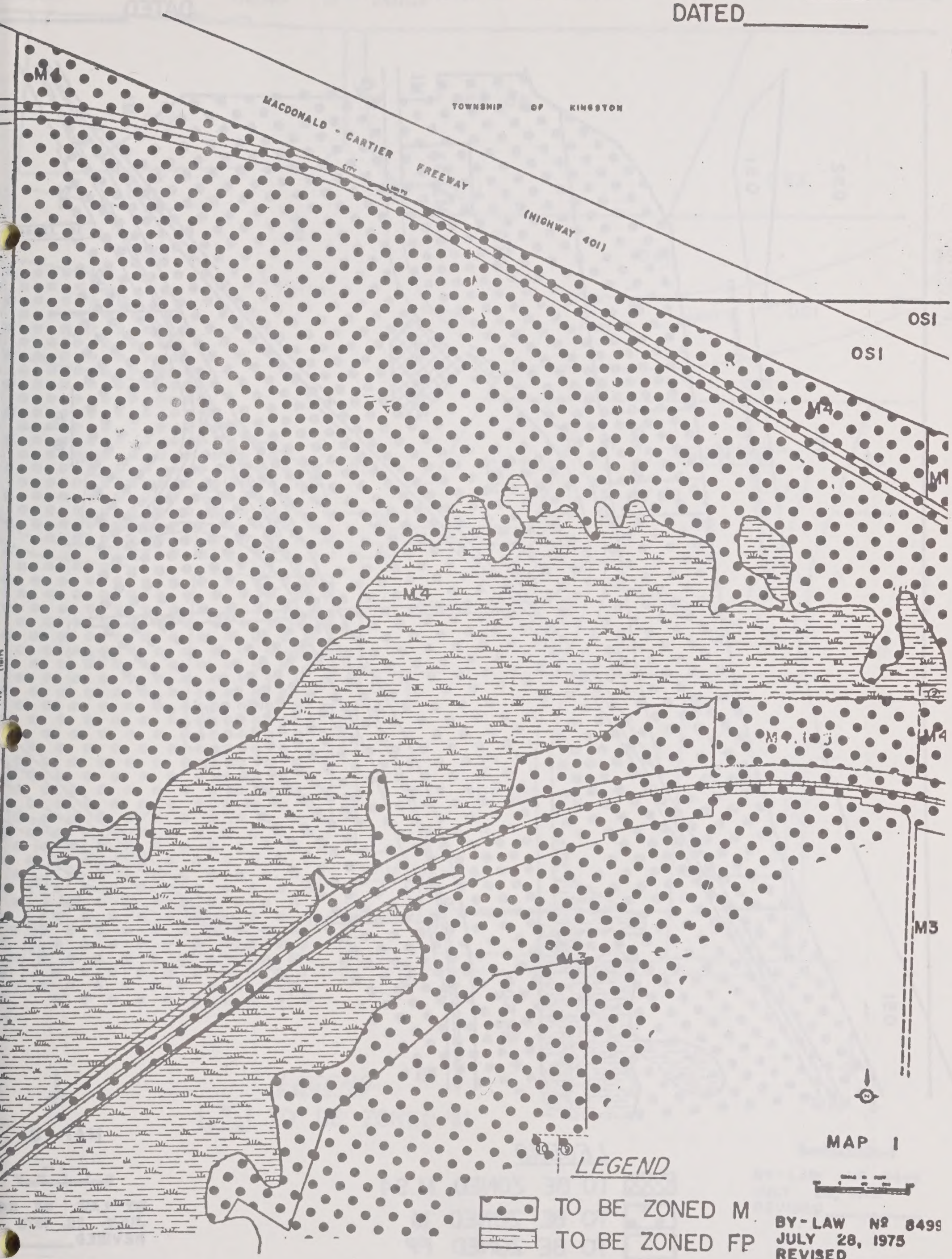
CARRIED

Respectfully submitted,

(Signed) *Grant Timmins* (Chairman)
W. Knapp
Lois Miller

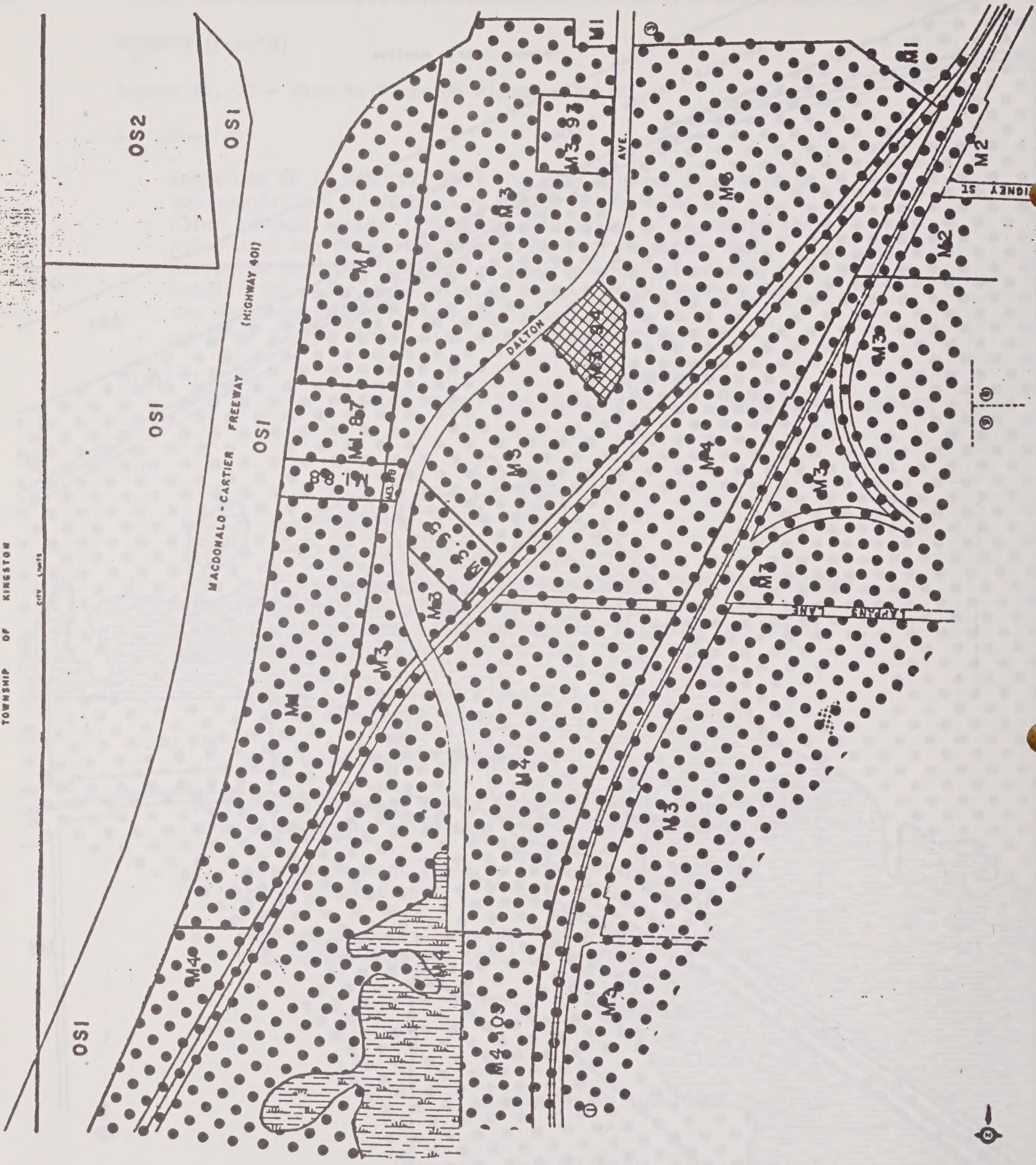
Schedule 'A' to Report No. 73, 1979

SCHEDULE 'A'
BY-LAW Nº ______
DATED__________


TOWNSHIP OF KINGSTON
MACDONALD - CARTIER FREEWAY
(HIGHWAY 401)
CITY LIMITS
M4
M4
M4
M4
M1
M4, 103
OSI
OSI
M3
M3
MAP 1
LEGEND
● TO BE ZONED M
▤ TO BE ZONED FP
BY-LAW Nº 8499
JULY 28, 1975
REVISED______

Schedule 'B' to Report 73, 1979

SCHEDULE 'B'
BY-LAW Nº ______
DATED ______



TOWNSHIP OF KINGSTON
CITY LIMITS
OS2
OS1
MACDONALD-CARTIER FREEWAY
(HIGHWAY 401)
DALTON AVE.
M1
M3.93
M3
M6
M3.94
M1.87
M1.88
M3.88
M4
M4.103
M2
M3

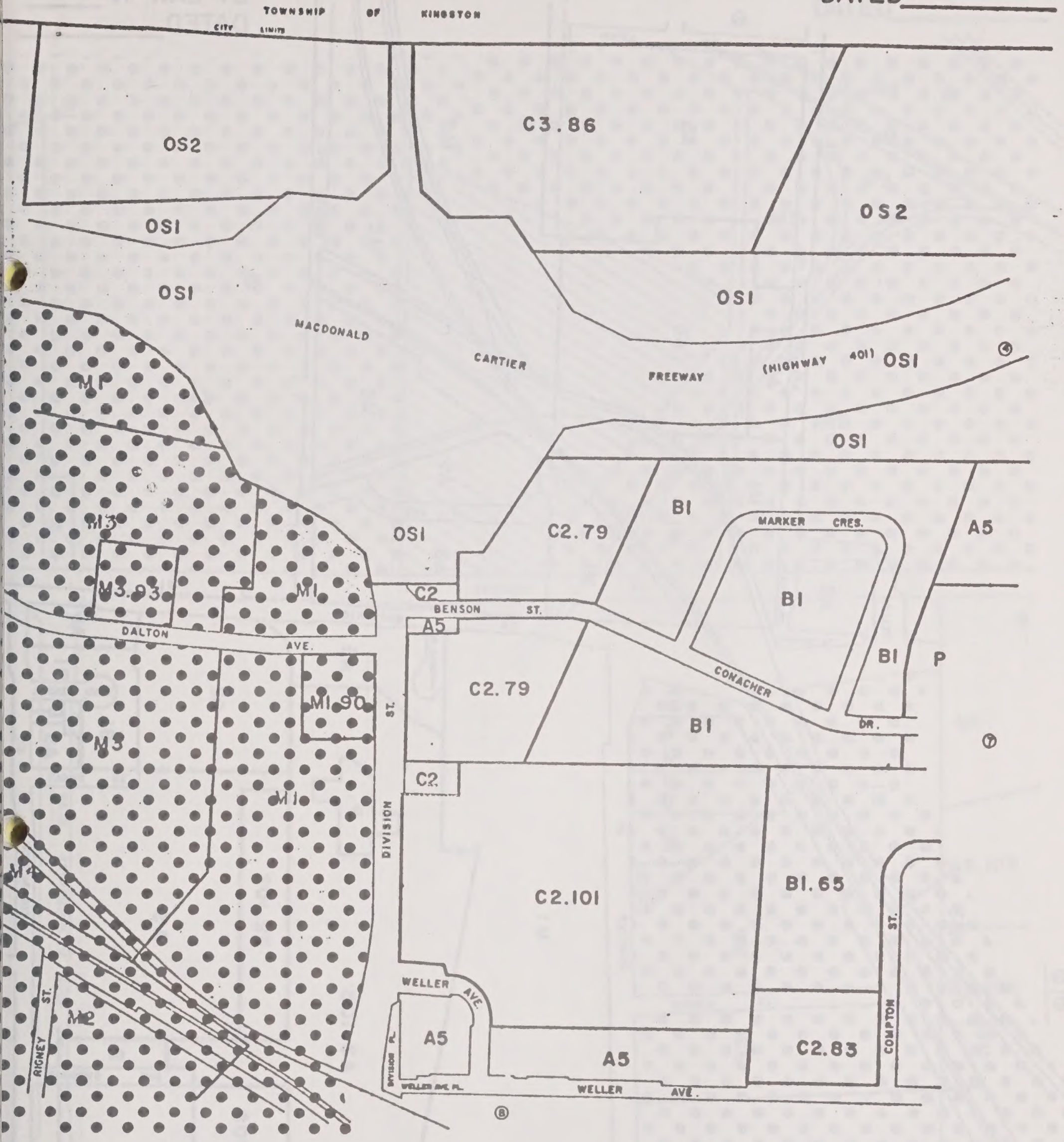
LEGEND

▨ TO BE ZONED M.94
● TO BE ZONED M
☐ TO BE ZONED FP

MAP 2

BY-LAW Nº 849
JULY 28, 1975
REVISED______

BY-LAW Nº ______
DATED ______


TOWNSHIP OF KINGSTON
CITY LIMITS
OS2
C3.86
OS2
OSI
OSI
OSI
MACDONALD CARTIER FREEWAY (HIGHWAY 401)
OSI
OSI
④
M1
M3
M3.93
M1
OSI
C2.79
B1
MARKER CRES.
A5
C2
BENSON ST.
A5
B1
DALTON AVE.
C2.79
CONACHER DR.
B1
P
M1.90
ST.
B1
⑦
M3
C2
M1
DIVISION
M4
C2.101
B1.65
ST.
RIGNEY
M2
WELLER AVE.
A5
DIVISION PL.
A5
C2.83
COMPTON
WELLER AVE. PL.
WELLER AVE.
⑧

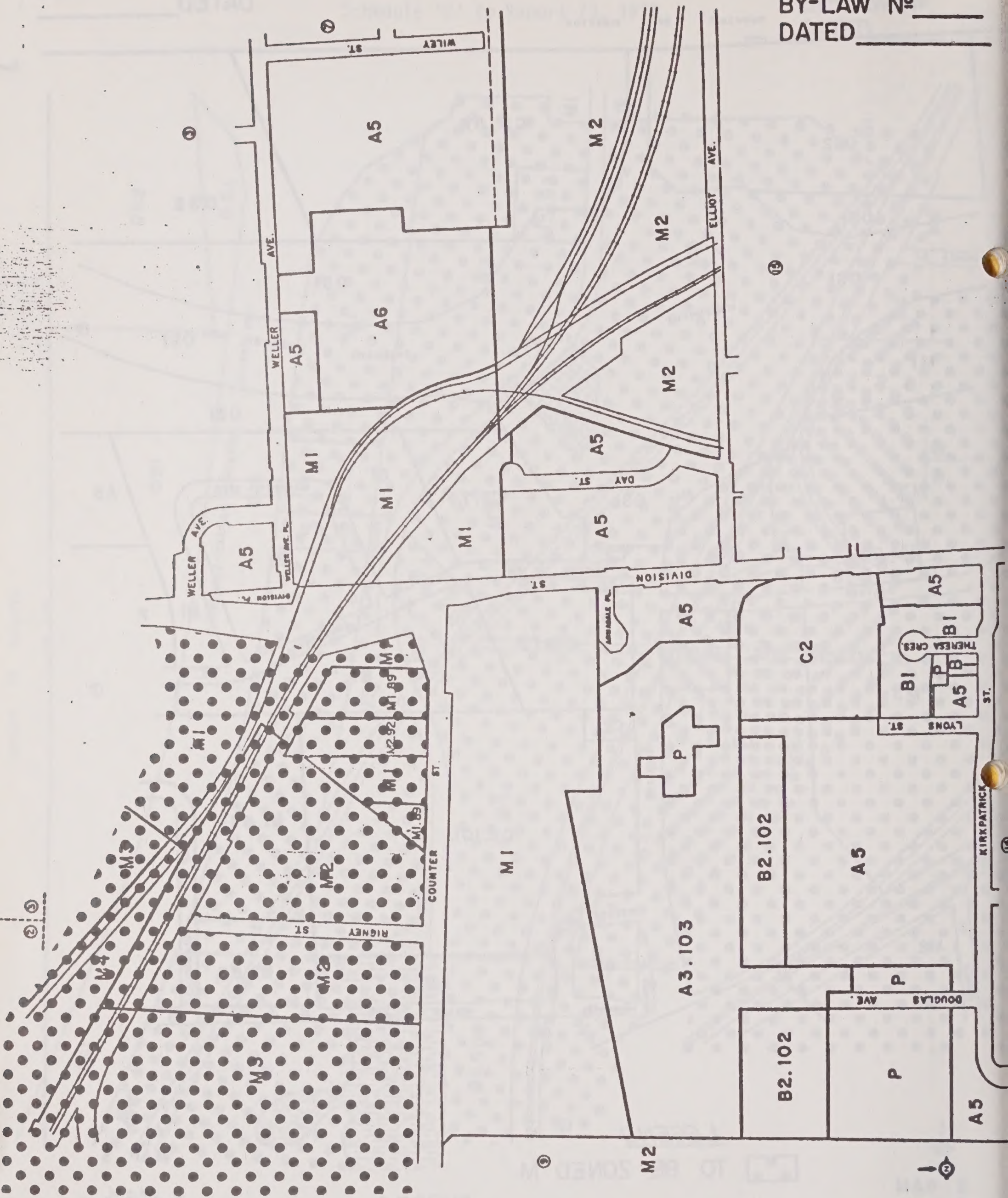
LEGEND

▨ TO BE ZONED M

MAP 3

BY-LAW Nº 8499
JULY 28, 1975
REVISED______

SCHEDULE 'D'
BY-LAW Nº_____
DATED_______

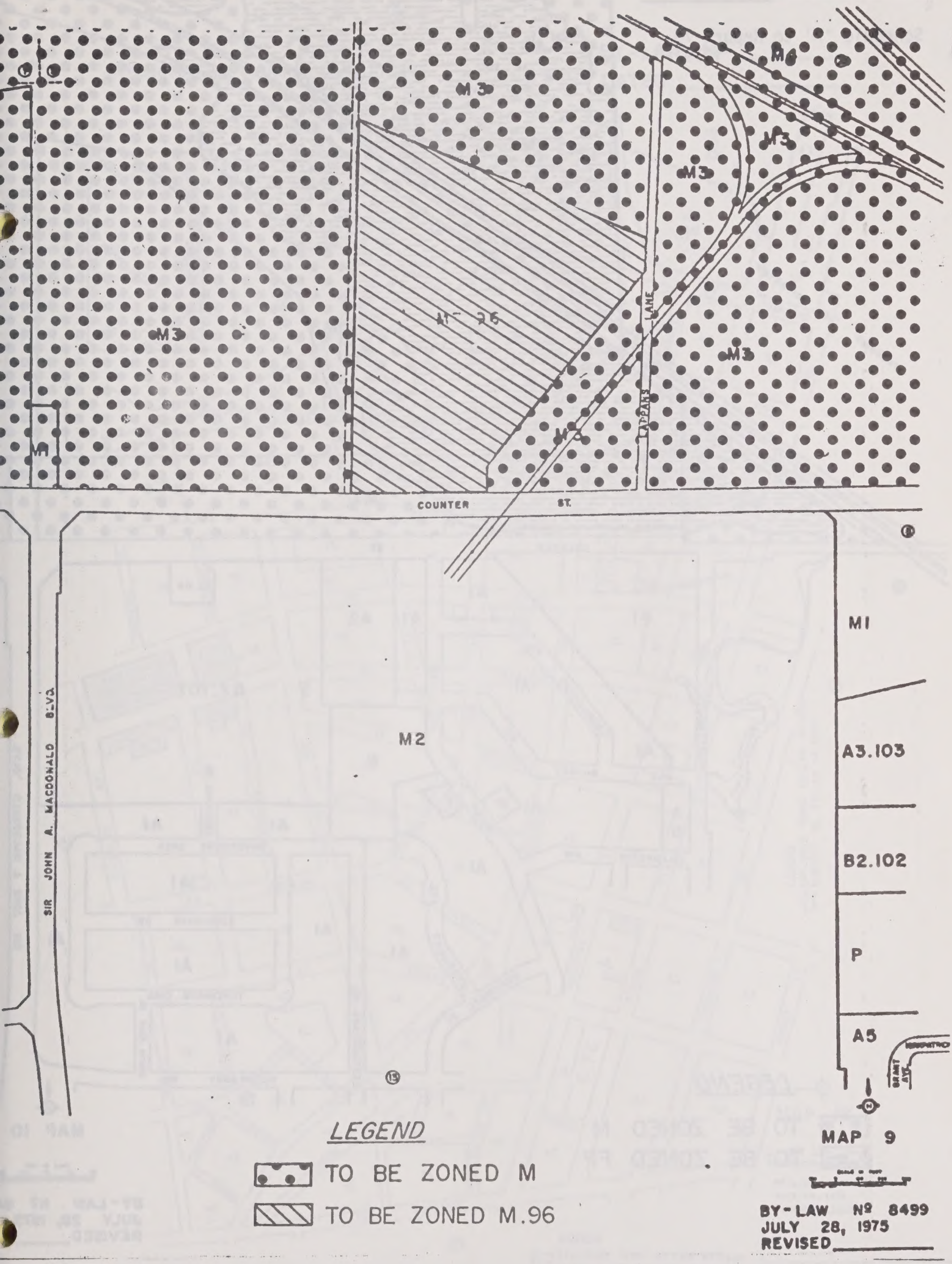

⑦
WILEY ST.
③
A5
M2
WELLER AVE.
ELLIOT AVE.
M2
⑬
A6
A5
M2
M1
A5
M1
DAY ST.
M1
A5
WELLER AVE.
A5
WELLER AVE. PL.
DIVISION ST.
DIVISION
A5
A5
C2
B1
THERESA CRES.
P
B
B1
A5
LYONS ST.
ST.
M1
M1.89
X2.92
M1
M1.89
P
KIRKPATRICK
M3
M2
COUNTER ST.
M1
B2.102
A5
③
②
A3.103
RIGNEY ST.
M4
M3
P
DOUGLAS AVE.
M3
B2.102
P
A5
⑨
M2

LEGEND
▨ TO BE ZONED M

MAP 8

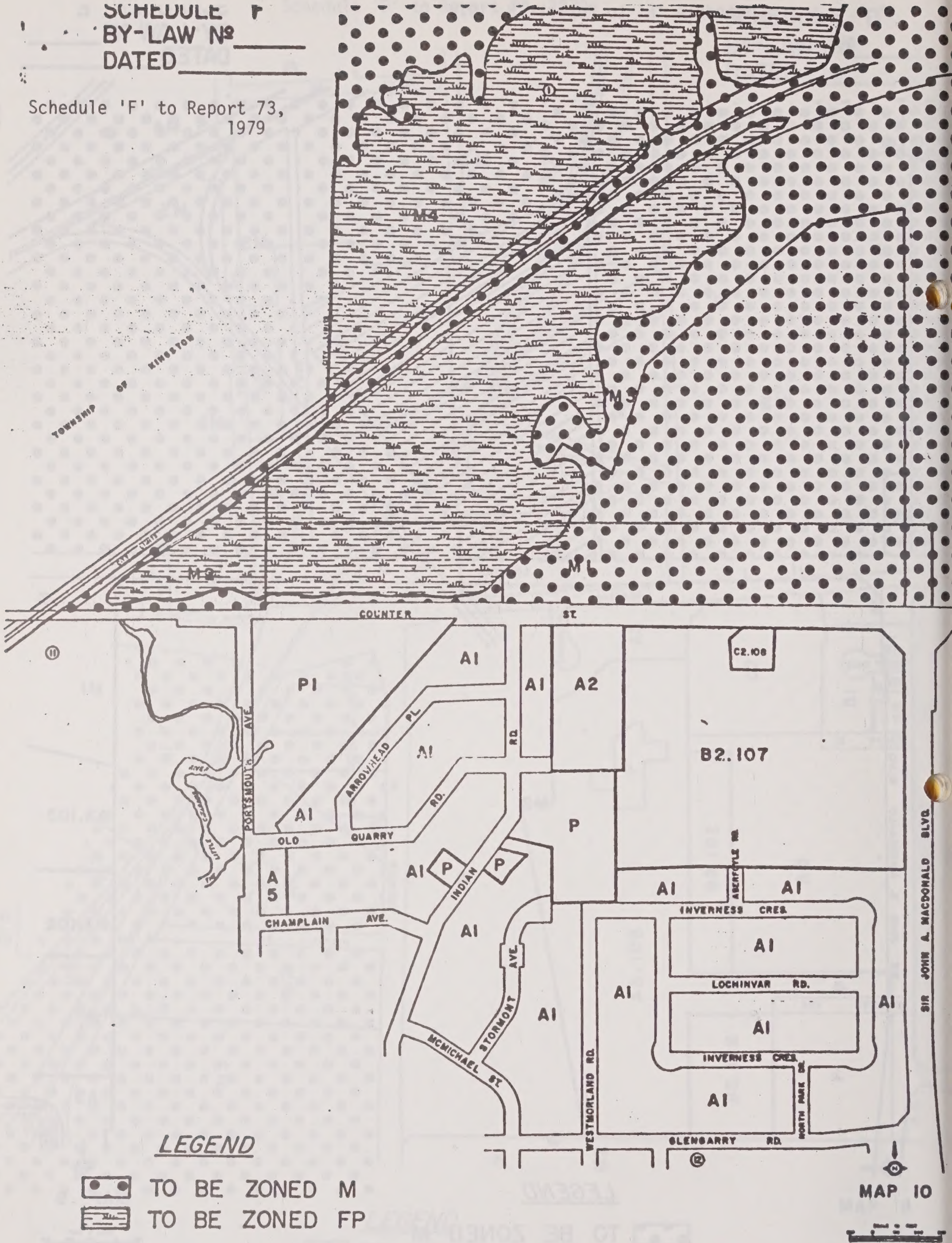
BY-LAW Nº 84
JULY 28, 1975
REVISED_______

SCHEDULE E
BY-LAW Nº ______
DATED ______


M3
M4
M3
M3
M3
M 96
M3
M3
M1
LANE
CAPPANS
COUNTER ST.
SIR JOHN A. MACDONALD BLVD.
M2
M1
A3.103
B2.102
P
A5
BRANT AVE.
LEGEND
TO BE ZONED M
TO BE ZONED M.96
MAP 9
BY-LAW Nº 8499
JULY 28, 1975
REVISED

SCHEDULE F
BY-LAW Nº ______
DATED ______

Schedule 'F' to Report 73, 1979

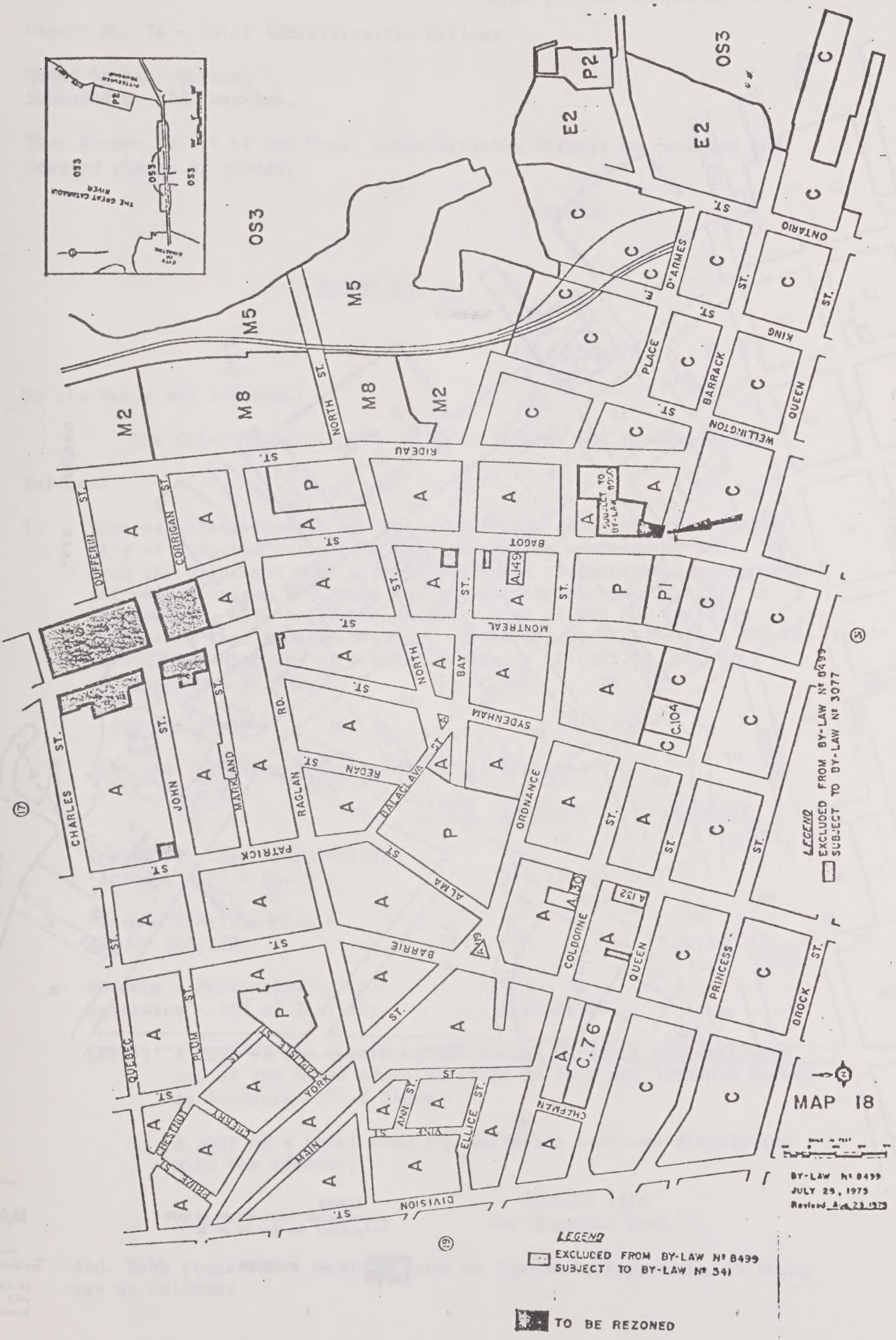

M4
M3
M2
ML
TOWNSHIP OF KINGSTON
CITY LIMIT
COUNTER ST.
PI
AI
A2
C2.108
B2.107
P
A 5
PORTSMOUTH AVE.
ARROWHEAD PL.
RD.
OLD QUARRY RD.
CHAMPLAIN AVE.
INDIAN
STORMONT AVE.
MCMICHAEL ST.
WESTMORLAND RD.
ABERFOYLE RD.
INVERNESS CRES.
LOCHINVAR RD.
NORTH PARK DR.
GLENGARRY RD.
SIR JOHN A. MACDONALD BLVD.
LITTLE CATARAQUI
LEGEND
TO BE ZONED M
TO BE ZONED FP
MAP 10

BY-LAW Nº 84
JULY 28, 1975
REVISED ______

Schedule 'G' to Report 73, 1979

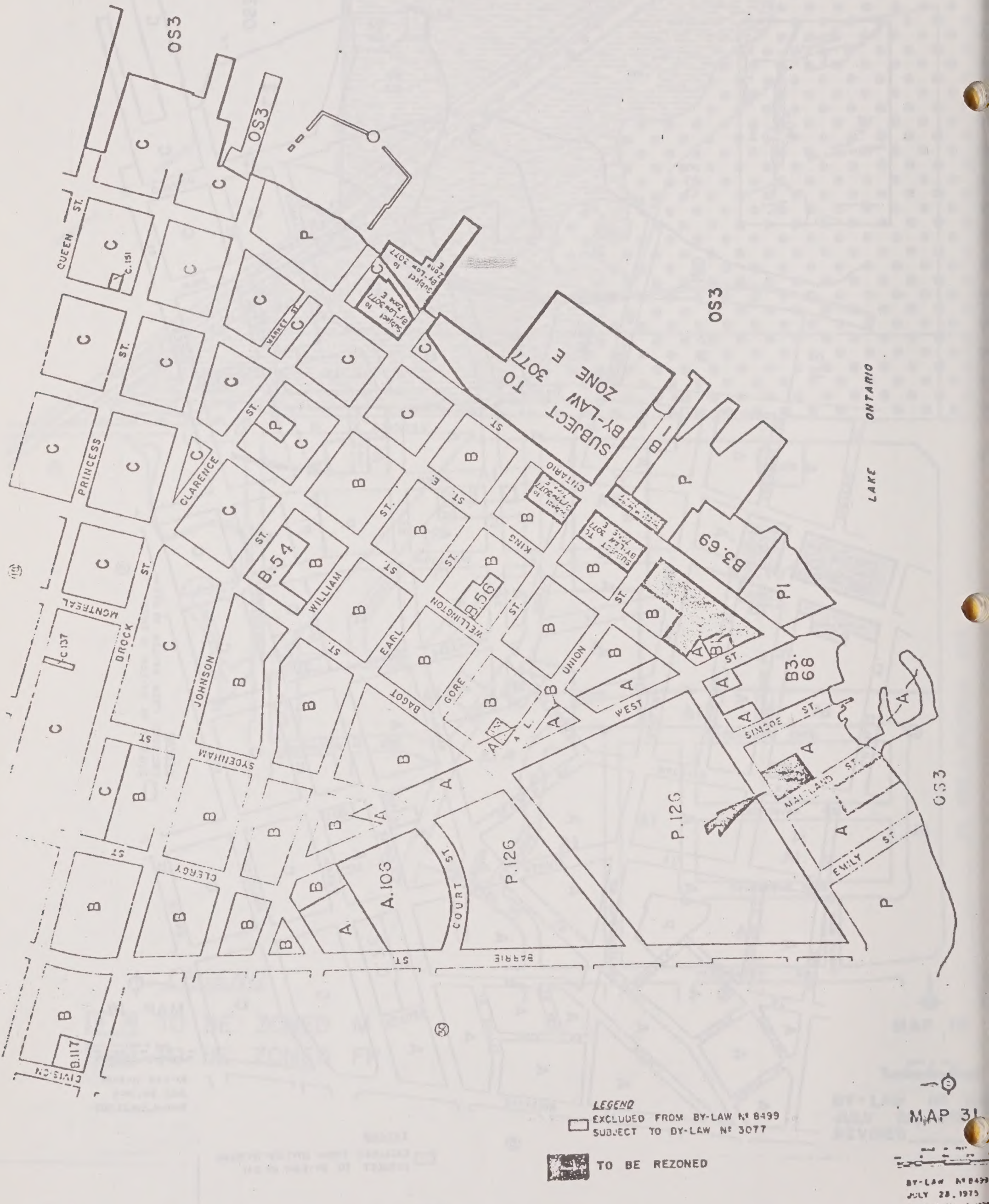
BY-LAW Nº ____________

DATED ____________


MAP 18
BY-LAW Nº 8499
JULY 29, 1975
Revised Aug 23 1979
LEGEND
EXCLUDED FROM BY-LAW Nº 8499
SUBJECT TO BY-LAW Nº 341
TO BE REZONED
LEGEND
EXCLUDED FROM BY-LAW Nº 8499
SUBJECT TO BY-LAW Nº 3077
SUBJECT TO BY-LAW 8013
THE GREAT CATARAQUI RIVER
OS3
P2
E2
M5
M8
M2
ONTARIO ST.
KING ST.
WELLINGTON ST.
BAGOT ST.
MONTREAL ST.
SYDENHAM
RIDEAU ST.
NORTH ST.
BAY ST.
ORDNANCE
CLERGY
BARRACK ST.
PLACE D'ARMES
QUEEN ST.
PRINCESS ST.
BROCK ST.
COLBORNE
CHAPMAN
ELLICE ST.
ANN ST.
VINE ST.
DIVISION ST.
MAIN
YORK ST.
CHERRY
CHESTNUT
PINE ST.
QUEBEC
PLUM ST.
BARRIE ST.
ALMA ST.
BALACLAVA ST.
REDAN ST.
PATRICK ST.
RAGLAN RD.
MARKLAND ST.
JOHN ST.
CHARLES ST.
DUFFERIN ST.
CORRIGAN ST.
A.149
A.130
A.132
A.19
C.104
C.76
PI
⑰
⑲
㉛

BY-LAW Nº ____________
DATED ____________

Schedule 'H' to Report No. 73, 1979


OS3
C
C.151
C.137
P
B.54
B.56
B.117
B3.69
B3.68
PI
A.103
P.126
A
B
SUBJECT TO BY-LAW 3077 ZONE E
Subject to By-Law 3077 Zone E
QUEEN ST.
PRINCESS ST.
CLARENCE ST.
MARKET ST.
BROCK ST.
MONTREAL ST.
JOHNSON ST.
WILLIAM ST.
EARL ST.
BAGOT ST.
KING ST. E.
ONTARIO ST.
WELLINGTON ST.
GORE ST.
UNION ST.
WEST ST.
SIMCOE ST.
MAITLAND ST.
EMILY ST.
SYDENHAM ST.
CLERGY ST.
COURT ST.
BARRIE ST.
DIVISION ST.
LAKE ONTARIO
LEGEND
EXCLUDED FROM BY-LAW Nº 8499
SUBJECT TO BY-LAW Nº 3077
TO BE REZONED
MAP 31
BY-LAW Nº 8499
JULY 28, 1975
Revised

REPORTS (Cont'd)

Report No. 74 - Chief Administrative Officer

Moved by Ald. Gorham,
Seconded by Ald. Hawkins,

That Report No. 74 of the Chief Administrative Officer be received and adopted clause by clause.

CARRIED

REPORT NO. 74

July 9, 1979.

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

1. That as recommended by the Social Services Administrator, the City of Kingston enter into an Agreement to purchase service from the Salvation Army for the provision of emergency accommodation for male Kingston residents for the period September 1, 1979 to December 31, 1979 inclusive, at a per diem of $14.50, it being understood that a maximum amount of $14,152.00 will be paid for the period- 80% Ministry of Social Services - $11,321.60, 20% City of Kingston - $2,830.40.

- and further -

That the following budget transfer be approved:

	INCREASE	DECREASE
Social Services -Expenditures -Account 3753 - Hostels	$14,152.00	
Finance Contingencies - 20% of $14,152.		$2,830.40
Revenue - Provincial Subsidies - 80% of $14,152.	$11,321.60	

(Note: A copy of the report of the Social Services Administrator and of the Chief Administrative Officer are attached hereto as Schedule "A", 3 Pages.

A copy of a brief from the Salvation Army was distributed with the agenda.)

CARRIED 12:0
See Recorded Vote

Ald. Webb requested a recorded vote on Clause 1, Report No. 74 which was as follows:

YEAS: Acting Mayor Gerretsen, Ald. Bishop, Ald. Clark, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb (12).

NAYS: 0

REPORTS (Cont'd)

Report No. 74 - Chief Administrative Officer

2. That, as recommended by the Commissioner of Works, a by-law be presented to Council to authorize the reconstruction of the pavement on the streets listed on the attached Schedule "B"(Page 3)- Total estimated cost of $100,000, less anticipated M.T.C. subsidy of $50,000.00, as a charge to the General Rate, provision for this expenditure having been made in the 1979 Capital Budget.

CARRIED

See By-Law 5: No. 79-142

3. That, as recommended by the Commissioner of Works, the Local Improvements Works schedule shown on the attached Schedule "B", Page 3, at a total estimated cost of $122,700. , less anticipated M.T.C. subsidy of $49,000.00, leaving a debenture amount of $73,700. be approved on the understanding that individual by-laws will be presented to Council for the Local Improvement Works when petitions have been received and any necessary transfers of debenture allotment included in the individual recommendations for the by-laws.

CARRIED

Ald. Tarnowecky withdrew at 9:45 p.m.
Ald. Webb withdrew at 9:46 p.m.
Ald. Clark withdrew at 9:48 p.m.
Ald. Timmins withdrew at 9:45 p.m.

Ald. Miller declared a conflict of interest on Clause 4 as she is employed by Queen's University.

4. That, notwithstanding the provisions of By-Law No. 14, as recommended by the Commissioner of Works, Queen's University be permitted to drain the storm water from the lands north of Queen's Crescent between Collingwood Street and Albert Street to the 9" combined sewer on Queen's Crescent immediately west of Civic No. 127, subject to a manhole incorporating a restricting device, satisfactory to the Commissioner of Works, being constructed at the point of connection and subject to Queen's University entering into an agreement with the City agreeing to sign a petition upon presentation for the construction of storm sewers in Queen's Crescent from Collingwood St. to Albert St.

(Note: A copy of the report of the Commissioner of Works is attached as Schedule "C" - 1 Page).

CARRIED

5. That, as recommended by the Commissioner of Works, Mr. S. Hodgson, Water Pollution Control Plant Foreman be authorized to attend the Ministry of the Environment Training Course for Digester Gas Systems Maintenance to be held in Brampton, September 24th to 28th, 1979, with the cost being charged to Account 310-09, Training Courses.

(Note: A copy of the report of the Commissioner of Works is attached as Schedule "D" - 3 Pages).

CARRIED

REPORTS (Cont'd)

Report No. 74 - Chief Administrative Officer

Parts a) to i) of Clause 6 were considered separately and were Carried.

Ald. Tarnowecky returned at 9:50 p.m.

6.a) That, as recommended by the Commissioner of Works, and since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the reconstruction of the concrete sidewalk in Grey Street, west side, from 23.62m (77.5') north of Concession St. northerly 30.48m (100'), under the provisions of Section 7 of the Local Improvement Act as follows:

Total estimated cost	-	$2,115.00
Owners' share		1,057.50
City's share		1,057.50
Debenture Amount		2,115.00.

See By-Law 6: No. 79-143 *CARRIED*

Ald. Webb returned at 9:51 p.m.

b) That, as recommended by the Commissioner of Works, and since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the reconstruction of the concrete sidewalk in Wellington St., east side, from 1.83m (6') north of Queen St. northerly 56.16m (184.2'), under the provisions of Section 7 of the Local Improvement Act as follows:

Total estimated cost	-	$4,525.00
Owners' share		489.47
City's share		4,035.53
Debenture Amount		4,525.00

See By-Law 7: No. 79-144 *CARRIED*

c) That, as recommended by the Commissioner of Works, and since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the reconstruction of the concrete sidewalk 2.9 m (9.5') wide in Brock Street north side from King Street easterly 12.95 m (42.5'), under the provisions of Section 7 of the Local Improvement Act as follows:

Total estimated cost	-	$1,340.00
Owners' share		446.61
M.T.C. Subsidy		207.00
City's share		686.39
Debenture Amount		1,133.00

See By-Law 8: No. 79-145 *CARRIED*

d) That, as recommended by the Commissioner of Works, and since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the reconstruction of the concrete sidewalk in:

1) William Street north side from King Street East, easterly 9.15 m (30').

2) King Street East, west side from William Street northerly 7.17 m (23.5')

under the provisions of Section 7 of the Local Improvement Act, as follows:

REPORTS (Cont'd)

Report No. 74 - Chief Administrative Officer

6 d) (cont'd).

Total estimated cost -	$1,350.00
Owner's share	332.19
Anticipated MTC Subsidy	109.00
City's share	908.81
Debenture Amount	1,241.00

See By-Law 9: No. 79-146

CARRIED

e) That, as recommended by the Commissioner of Works, and since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the reconstruction of the concrete sidewalk 1.83 m (6') wide including restoration of concrete curb and boulevard in Brock Street north side from Ontario Street easterly 37.80 m (124') under the provisions of Section 7 of the Local Improvement Act, as follows:

Total estimated cost -	$4,400.00
Owner's share	865.93
MTC Subsidy	367.00
City's share	3,167.07
Debenture Amount	4,033.00.

See By-Law 10: No. 79-147 *CARRIED*

f) That, as recommended by the Commissioner of Works, and since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the reconstruction of the concrete sidewalk in:

1) Ontario Street West side from William Street to northerly 23.17 m (76')

2) William Street north side from Ontario Street westerly 3.35 m (11')

under the provisions of Section 7 of the Local Improvement Act, as follows:

Total estimated cost -	$2,500.00
Owner's share	850.15
Antic. MTC share	407.00
City's share	1,242.85
Debenture Amount	2,093.00

See By-Law 11: No. 79-148 *CARRIED*

g) That, as recommended by the Commissioner of Works, and since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the construction of a 7.93m (26') wide asphalt pavement with curbs, gutters and boulevards in Indian Road from Glengarry Road to McMichael Street under the provisions of Section 7 of the Local Improvement Act, as follows:

Total estimated cost -	$44,200.00
Owner's share	8,625.44
City's share	17,787.56
MTC subsidy	17,787.00
Debenture Amount	26,413.00.

See By-Law 12: No. 79-149 *CARRIED*

REPORTS (Cont'd)

Report No. 74 - Chief Administrative Officer

6. (Cont'd)

h) That, as recommended by the Commissioner of Works, and since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the construction of a 7.93m(26') wide asphalt pavement with curbs, gutters and boulevards in Dorance Street from Victoria Street easterly to the end under the provisions of Section 7 of the Local Improvmenet Act, as follows:

Total estimated cost	$16,068.00
Owner's share	6,040.15
Anticipated MTC subsidy	5,013.00
City's share	5,014.85
Debenture Amount	11,055.00.

See By-Law 13: No. 79-150 *CARRIED*

i) That, as recommended by the Commissioner of Works, and since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the construction of a storm sewer in Dorance Street from Victoria Street to easterly 77.77m (255.14') and including non-abutting, equally benefited frontage, from 77.77 m (255.14') east of Victoria Street easterly 3.05 m (10'), under Section 7 of the Local Improvement Act, as follows:

Total estimated cost	$12,500.00
Owner's share	1,057.92
Anticipated MTC subsidy	5,721.00
City's share	5,721.08
Debenture Amount	6,779.00

and further -

That the following budget transfer in the 1979 Capital Budget be approved:

	Increase	Decrease
Local Improvement Storm Sewers		
Ontario - Clarence to Johnson		$6,779.00
Dorance - Victoria easterly 77.77m	$6,779.00.	

See By-Law 14: No. 79-151 *CARRIED*

Ald. Clark returned at 9:52 p.m.

REPORTS (Cont'd)

Report No. 74 - Chief Administrative Officer

7. WHEREAS Council has agreed (R.46(6)79) to establish a study group to discuss the matter of school requirements for the City and the effect of declining enrollments on the municipality made up by representatives of:

a) The City of Kingston Planning Board;
b) City Council;
c) Frontenac County Board of Education;
d) Frontenac, Lennox and Addington County Roman Catholic Separate School Board;

AND WHEREAS names of proposed representatives have now been received from both School Boards, the Planning Board and the former Finance Committee of City Council:

THAT the following persons be appointed members of the City Study Group on School Requirements and Effects of Declining Enrollments on the Municipality of Kingston:

Mr. J. W. Bannister
Rev. D. P. Clement
Ald. W. Knapp
Mr. H. Marans
Mr. J. J. McKenzie
Mr. P. H. Watson.

CARRIED
Ald. Hawkins opposed

8. That, as recommended by the Chief Administrator Officer, if the School Board election can be held during the same three year period to avoid duplication and extra expenditure which would be charged to the ratepayers, the attached resolution of the City of Windsor, be endorsed. (Schedule "E" - 1 Page).

(Note: The Chief Administrative Officer notes that there is no objection to the three year term of office as indicated in the resolution.)

CARRIED

Ald. Timmins returned at 9:55 p.m.

9. That, the attached recommendation of the Board of Management for the Grand Theatre (Schedule "F"), that remaining funds in Account 4690 of their budget in the amount of $12,400. be used for different repairs and acquisitions for the Grand Theatre, be approved.

CARRIED

10. That, as recommended by the Chief Administrative Officer, following a review of the matter by the Director of Planning and Urban Renewal, and the Commissioner of Industries and Airport Administrator, City Council go on record as having no objections to the removal of the following rail trackage it being understood that there are no customers requiring this particular trackage and that the property will remain vested with CP Rail until such time as they offer it for sale and it being understood that it is the policy to offer it in the first instance to the Federal, Provincial and Municipal Governments, in that order, before advertising it for sale by public tender:

a) On the spur line from Elliot Avenue south to the Coca Cola plant which is located on the north side of Railway Street.

b) Trackage between Cataraqui Street and Place d'Armes.

(Note: A copy of the Director of Planning & Urban Renewal's report is attached as Schedule "G" - 1 Page).

CARRIED

REPORTS (Cont'd)

Report No. 74 - Chief Administrative Officer

11. For the information of Council, the Commissioner of Works reports that Empire Life Insurance Company has paid $14,100 in cash to the City to have additional extra walk reconstruction at their expense when the City replaces the original sidewalks, Ontario, William and King Streets under the Local Improvement Act and that this extra work will be included under the City's future sidewalk contract.

(Note: A copy of the report of the Commissioner of Works is attached as Schedule "H" - 1 Page).

CARRIED

12. That, as recommended by the Chief Administrative Officer, after receiving the concurrence of the Police Chief and the Commissioner of Parks and Recreation, the attached resolution from the City of Brampton with regard to Off-Road Motorized Recreational Vehicles be endorsed.

(Note: See Schedule "I" attached hereto for a copy of the resolution and for a copy of the report of the Commissioner of Parks and Recreation, City of Brampton - 4 Pages).

CARRIED

13. That, as recommended by the Chief Administrative Officer, a grant of $100.00 be made to the Village of Iron Bridge for Disaster Relief said monies to be transferred from Finance Contingencies.

(Note: A copy of the report of the Chief Administrative Officer is attached hereto as Schedule "J" - 2 Pages.)

CARRIED

REPORTS (Cont'd)

Report No. 74 - Chief Administrative Officer

14. That as recommended by the City Treasurer and Departments concerned the following budget transfers be approved to provide additional funds to the various accounts as a result of contract settlements:

	Account #	Increase	Decrease
Cataraqui Park - Wages	3251	$ 1,061.	
J. K. Tett Centre - Wages	329-01	251.	
Artillery Park - Wages	329-70	600.	
Parks - Wages	421-02	5,018.	
- Equip. Mntce.	421-41	500.	
- Bldg. Mntce.	421-52	400.	
- Greenhouse	421-60	140.	
- Boulevard Mntce.	421-64	272.	
- Traffic Islands & Tree Belts	421-65	272.	
- Weed Control	421-67	600.	
- Tree Trimming	421-70	2,116.	
- Development	421-87	540.	
Recreation - Mntce. Equip.	423-43	300.	
- Outdoor Rinks	423-60	1,300.	
- Ball Diamonds	423-65	200.	
- Cont. from Revenue	423-80	130.	
Elmer Youth Ctr. - Wages	428-60	1,192.	
Cook Youth Centre - Wages	429-01	1,162.	
Public Works - Mntce. Walks	313-85	2,000.	
- Perm't Pav'ts.	314-02	5,000.	
- Unpaved Roads	314-20	2,000.	
- Winter Control	314-34	5,000.	
- Winter Control	314-37	5,000.	
- Street Sweeping	314-61	5,000.	
- Sewers - Manhole Rep.	315-03	1,000.	
- " - Cleaning	315-04	3,000.	
- Sewers - Laterals	315-10	1,000.	
- Supp. Pension	310-44	16,955.	
Traffic & Streets - Wages	362-01	1,125.	
Police - Salaries	3901	38,038.	
- School Aides	3903	1,848.	
Fire Dept. - Salaries	3301	37,230.	
- Supp. Pension	3301	51,497.	
Finance - Contingencies			$191,747.

(Note: Contracts involved: Local 109, Fire and Police.)

TABLED
See following motion to table

REPORTS (Cont'd)

Report No. 74 - Chief Administrative Officer

14. (Cont'd)

Moved by Ald. Tarnowecky,
Seconded by Ald. Hawkins,

That Clause 14, Report No. 74, be tabled until further information has been provided.

CARRIED

15. WHEREAS the Ministry of Transportation and Communications has indicated approval of the City's applications (R.38(3)79 and R.63(13)79) for subsidy approval for the following two airport projects:

1) Preparation of Master Plan and

2) Renovations to Runway 06R-24L including paving and lighting;

AND WHEREAS the Ministry of Transportation and Communications have submitted, for approval by the City, an agreement, a copy of which is attached hereto as Schedule "K"(3 Pages), outlining the conditions under which the Minister has agreed to contribute financial assistance to the City:

THAT a by-law be presented to Council to authorize the execution of an agreement with Her Majesty the Queen in Right of the Province of Ontario as attached hereto as Schedule "K" for the provision of funds for work concerning the Norman Rogers Airport.

(Note: A copy of a report of the Chief Administrative Officer with regard to estimates that have been approved by the Ministry for the work as well as an outline of the budgeted amounts that were approved by City Council in 1979 is attached as Schedule "L" (1 Page).)

See By-Law 15: No. 79-152

CARRIED

Ald. Matthews withdrew at 10:20 p.m. and returned at 10:21 p.m.
Ald. Knapp withdrew at 10:22 p.m.

16. That a by-law be presented to Council to amend By-Law No. 79-98, "A By-Law to Close Temporarily, a Portion of Concession Street between Division Street and Alfred Street During Construction of Underground Services and Reconstruction of Road (East Bound Lane)", to extend the one way traffic on Concession Street from Division St. to Alfred St. from July 24th to August 17th 1979 provided that the contractor will pay compensation of $4,000 to the owner of Carol Ann Confectionery for the extended period of 3 weeks.

(Note: A copy of the report of the Commissioner of Works is attached as Schedule "M" (1 Page).)

See By-Law 16: No. 79-153

CARRIED

See following motion of amendment which was LOST

Ald. Knapp returned at 10:27 p.m.

REPORTS (Cont'd)

Report No. 74 - City of Kingston Planning Board

16. (Cont'd)

Moved by Ald. Hawkins,
Seconded by Ald. Lampropoulos,

That Clause 16, Report No. 74, be amended by adding the words "provided that the contractor will pay compensation of $4,000 to the owner of Carol Ann Confectionery for the extended period of 3 weeks."

LOST 4:8

17. That Council authorize the Commissioner of Parks and Recreation and the Chief Administrative Officer to negotiate with the Frontenac County Board of Education for the purchase of the Kingscourt Public School site as quickly as possible, and further, as this property has been appraised by local valuers it is recommended that negotiations be commenced on the basis of the lowest appraised value available, that is, $211,400 for the nine acres.

(Note: A copy of the report of the Commissioner of Parks and Recreation and the Chief Administrative Officer is attached as Schedule "N" (3 Pages).)

CARRIED
Ald. Webb opposed

18. That the City Treasurer be authorized to obtain proposals, by tender call, for the sale of City owned property located at the south-west corner of Bath Road and Portsmouth Avenue.

(Note: A copy of the report of the City Treasurer and the Chief Administrative Officer is attached as Schedule "O" (5 Pages).)

CARRIED
Ald. Tarnowecky opposed

19. That, notwithstanding the provisions of By-Law No. 10, Dr. H. H. Westenberg be permitted to install ten-foot long flower boxes along the sidewalk at the corner of 300 King Street and 65 Clarence Street, subject to Dr. Westenberg being responsible for the cost of installation and maintenance of such flower boxes; and further, that the City not be held liable if any claims arise therefrom, and the provision of a liability insurance policy satisfactory to the City Solicitor.
(See copy of report from Mr. E. W. Taugher, Assistant Administrator, Traffic, Streets and Parking Department attached hereto as Schedule "P" (1 Page).)

See By-Law 17: No. 79-154 *CARRIED*

20. That, as recommended by the City Treasurer, List of Accounts No. 6, dated June 1979, in the amount of $5,584,472.24 be approved, it being noted that the expenditures were incurred under proper authorization.

(Note: A copy of the List of Accounts was distributed to each member of Council.)

CARRIED

REPORTS (Cont'd)

Report No. 74 - Chief Administrative Officer

21. That, subject to the approval of the Chief Building Inspector and the City Solicitor, as recommended by the Deputy City Engineer, a building permit be issued for the construction of a single family residence on Lot 18 of the Watts-Silver Subdivision on Portsmouth Avenue on the following conditions:

a) It will be made only in respect of the one lot (18).

b) Temporary access will only be had from Portsmouth Ave. across the lands within the subdivision.

c) Adequate dust control measures will be provided at the cost of the developer.

d) The house will not be occupied until after the requirements of Clause 9(a) of the subdivision agreement have been met, i.e. "the developer is required to construct the road base and grade the boulevards before building permits are issued".

e) That the building permit will be taken out by the subdivider.

f) That the subdivider indemnify the City in respect of any actions or claims that may be brought against the City arising out of this action by the City.

- and further -

That an Agreement be entered into with CDM Construction Company and Mr. William Ropposo embodying the above conditions and the Mayor and City Clerk be authorized to sign said Agreement.

CARRIED AS AMENDED
See following motion of amendment

Moved by Ald. Timmins,
Seconded by Ald. Knapp,

That Clause 21, Report No. 74, be amended by adding the following conditions:

e) That the building permit shall be taken out by the subdivider.

f) That the subdivider indemnify the City in respect of any actions or claims that may be brought against the City arising out of this action by the City.

- and further -

That an Agreement be entered into with CDM Construction Company and Mr. William Ropposo embodying the above conditions and the Mayor and City Clerk be authorized to sign said Agreement.

CARRIED

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
C. A. O.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

July 3, 1979.

TO: The Mayor & Council

RE: PROPOSED HARBOUR LIGHTS CENTRE

We are forwarding herewith report from Sid Routbard, Administrator of Social Services, dated June 26th, 1979 together with various attachments from the Salvation Army and list of letters of support, dealing with this subject.

Council will note that Mr. Routbard recommended that the City enter into an agreement to provide this service for the last four months of 1979 at an anticipated net City cost of $2830. This would involve 10 persons at any given time who would be necessarily Kingston residents.

Major Newbury of the Salvation Army will be in attendance at our Council Meeting of July 9 to explain this matter.

We have reviewed the documentation and have discussed this with Mr. Routbard at some length. The fact remains that the City has not budgeted for this expenditure for 1979, and if we wish to provide the said service the amount of $2830 will therefore have to be charged to contingencies.

It is always difficult to present new services part way through the year, however if one has considered that this service is necessary for the residents of Kingston, we cannot delay our decisions. We therefore recommend the adoption of Mr. Routbard's report concerning this matter.

J. R. Hamilton.
C.A.O.

RJH:hh

JUN 28 1979

memorandum

Department of Social Services
City of Kingston

TO: R. J. Hamilton
Chief Administrative Officer

DATE: June 26, 1979

FROM: S. H. Routbard
Administrator

SUBJECT: Proposed Harbour Light Centre.

ORIGIN: In response to a need expressed by Social Service Agencies in the City of Kingston, the Salvation Army is proposing to establish a hostel for the "disaffiliated male".

A request is being made to the City to enter into a purchase of service agreement for this purpose.

Please see attached list of letters of support, which are on file in my office.

ANALYSIS: At present the City of Kingston has no facility to accommodate men requiring short-term emergency housing.

The Salvation Army proposes to establish a hostel which would:

a. accommodate 10 men;

b. provide room and board;

c. give priority to clients experiencing chemical abuse problems;

d. offer counselling services;

e. provide appropriate referrals to other social/medical services.

The proposed location of the hostel is 227 Collingwood Street.

Similar programs operating in other municipalities, such as Belleville, have been well received by the general public and have provided a valuable facility to the community.

ALTERNATIVES:

1. Because there has been no hostel of this type available in Kingston, drifting males have usually taken shelter along the waterfront, in storefronts, in the vestibule of the Post Office and in the cells of the Police Headquarters.

Harbour Light Centre Proposal (cont'd)

ALTERNATIVES (cont'd)

2. November 1, 1978 the City received a request from Dr. C.G. Laverty, Director of Addiction Research at Kingston Psychiatric Hospital, asking that the City support Kingston residents who are referred to Serenity House in Belleville for alcohol abuse therapy.

   On the recommendation of the Social Services Administrator, who was aware of the impending Kingston Harbour Light proposal, the Community Services Committee passed a motion of no action on the Serenity House request.

EXISTING POLICY:

Since no hostel for men has existed in Kingston, no corresponding policy for their accommodation has been adopted.

Since 1977 the City has entered into an Agreement with Kingston Interval House for the provision of emergency accomodation to women and children. The administration of this Agreement has been systematic and effective.

FINANCIAL CONSIDERATIONS:

The 1979 Current Budget does not include funds for this purpose. It would therefore be necessary for funds to be transferred from contingencies.

The budget submitted for the Harbour Light Centre is for the period September 1, 1979 to December 31, 1979 inclusive. The total request for this period of $14,152.00 based on a per diem of $14.50.

The Ministry of Community and Social Services has given its approval to this project, subject to approval from City Council. If the City decides to proceed with this program, the Ministry would provide an 80% subsidy. For example, based on a ceiling of $14,152.00, the City would then be responsible for $2,830.00 (20%).

RECOMMENDATION:

That the City of Kingston enter into an Agreement to purchase service from the Salvation Army for the provision of emergency accommodation for male Kingston residents for the period September 1, 1979 to December 31, 1979 inclusive, at a per diem of $14.50, it being noted that a maximun amount of $14,152.00 will be paid for the period. Major Newbury would present this proposal to Council upon request.

Memo to - Mr. R.J.Hamilton
Chief Administrative Officer

Date - June 27, 1979

SUBJECT The 1979 Road Program

ORIGIN The 1979 Public Works Capital Budget includes an allotment of $60,000.00 in debentures funds for General Rate road reconstruction and $60,000.00 in debenture funds for construction and reconstruction of roads under the Local Improvement Act. This report presents schedules that detail the projects recommended for the allotment of debenture funds.

ANALYSIS Schedule "A" is the recommended program for General Rate reconstruction with an estimated net debenture amount of $50,000.00. Schedule "A" is the recommended program for construction and reconstruction with an estimated net debenture amount of $73,700.00. The design of the individual projects is circulated to P.U.C., Bell Canada, Traffic and Streets and any other department or agency having a special interest in a particular project.

EXISTING POLICY Inventory of the state of the road is made annually and rated on the basis of condition in relation to the amount of vehicular traffic. Priority is usually given to Local Improvement projects when a sufficiently signed petition is received.

FINANCIAL In the 1979 Capital Budget a $60,000.00 debenture was allotted for General Rate reconstruction and a $60,000.00 was provided for Local Improvement programs.

General Rate Program	Debenture
Total estimated cost	$100,000.00
Less M.T.C. Subsidy	50,000.00
	$ 50,000.00

Local Improvement Program	Debenture
Total estimated cost	$122,700.00
Less M.T.C. subsidy	49,000.00
	$ 73,700.00

The total debenture amount provided in 1979 Capital Budget was $120,000.00. Total debenture required for these paving programs is $123,700.00. It is proposed that $ 3,700.00 be transferred from the $30,000.00 allotment - Local Improvement Ontario St Storm Sewer - in the 1979 Capital Budget.

RECOMMENDATION

1. That a by-law be passed to authorize the reconstruction of the pavement on the streets listed on Schedule "A" at a total estimated cost of $100,000.00, less anticipated M.T.C. subsidy of $50,000.00, as a charge to the General Rate, provision for this expenditure has been made in the 1979 Capital Budget.

............/2

---

2. That individual by-laws be initiated for the Local Improvement works listed on the attached Schedule "A" at a total estimated cost of $122,700.00, with any necessary transfers of debenture allotment included in the individual recommendations for by-laws, when petitions for the work have been received.

D. Graham, P. Eng.
Commissioner of Works

DG/gg

att.

Clause 2, Report 74.

General Rate Paving

PROPOSED ROAD PROGRAM FOR 1979

		TOTAL COST	DEBENTURE	ANTICIPATED MTC SUBSIDY
Center St.	Union - Edgehill	$32,800	$16,400	$16,400
Mack St.	Nelson - Victoria	$18,000	$ 9,000	$ 9,000
Corrigan St.	Bagot - Rideau	$14,800	$ 7,400	$ 7,400
Elmwood St.	Portsmouth - Grenville	$34,400	$17,200	$17,200
	TOTAL	$100,000	$50,000	$50,000

Clause 3, Report 74.

Local Improvement Paving

			TOTAL	DEBENTURE	MTC SUBSIDY
	Indian Road	Glengarry - McMicheal	$44,200	$26,400	$17,800
(1)	Thomas St.	Patrick - Cowdy	$12,000	$ 7,400	$ 4,600
	Dorance St.	All	$16,100	$11,100	$ 5,000
	Wellington St.	Ordnance - Bay	$37,000	$20,925	$16,075
(2)	Montreal	Russell - 105' S. of Railway	$11,000	$ 6,500	$ 4,500
(3)	Victoria	Third - Dorance	$ 2,400	$ 1,375	$ 1,025
		TOTAL	$122,700.	$73,700	$49,000

(1) This project is for curb, gutter and boulevard on the southside.

(2) This project is for curb, gutter and boulevard on west side and has had third reading.

(3) Cost increase based on lowest tender and has had two readings by Council.

MEMOTO: Mr. R. J. Hamilton

DATE: June 26, 1979

SUBJECT: Connection of storm drainage to combined sewer at 127 Queen's Crescent.

ORIGIN: Request from Queen's University by letter dated May 9, 1979.

ANALYSIS: The storm drainage from the block bounded by Collingwood Street, Union Street, Albert Street and Queens' Crescent immediately west of No. 127 Queen's Crescent. It is presently conveyed across Queen's Cr. to a soaking pit by means of a 10" pipe. The soaking pit no longer functions satisfactorily.

Queen's University have requested permission to connect the 10" pipe to the existing 9" combined sewer on Queen's Cr. by means of a manhole to be constructed over the combined sewer which would intercept the 10" drain.

Special Factors

The nearest storm sewer is on Albert Street approximately 300' east of the proposed connection.

The 9" combined sewer serves only three houses on the north side of Queen's Cr. and is connected to a 3' X 3'6" stone box sewer on Collingwood Street approximately 175' west of the proposed connection. Upon sewer separation of Collingwood Street a local storm sewer will be constructed on Queen's Cr. from Collingwood St. easterly. There is no provision in the five year capital budget for separation in this area.

ALTERNATIVES:

1. Connection to the existing storm sewer on Albert Street by Queen's University.
2. Connection to the existing stone box sewer on Collingwood Street by Queen's University.
3. Connection to the existing local sewer by Queen's University with adequate safeguards to prevent overloading of the sewer.

EXISTING POLICY: In the past, Council has, on occasion, approved connection of storm drainage to combined sewers where storm sewers were not available and where adequate precautions were taken to protect the public connected to the combined system.

FINANCIAL CONSIDERATIONS: A connection by Queen's University to either Collingwood St. or Albert St. would be costly and would make Queen's University less receptive to paying local improvement charges for a storm sewer on Queen's Cr. in the future.

RECOMMENDATION That notwithstanding the provisions of By-law No.14, Queen's University be permitted to drain the storm water from the lands north of Queen's Crescent between Collingwood St and Albert St to the 9" combined sewer on Queen's Crescent immediately west of Civic No.127 subject to a manhole incorporating a restricting device, satisfactory to the Commissioner of Works, being constructed at the point of connection, and subject to Queen's University agreeing to sign a petition upon presentation for the construction of storm sewers in Queen's Crescent from Collingwood St to Albert St.

DG/gg

D.Graham, P.Eng
Commissioner of Works

Memo to - Mr. R.J.Hamilton,
Chief Administrative Officer

Date - July 4, 1979

SUBJECT Training Course - Digester Gas Systems Maintenance

ORIGIN Public Works Department

ANALYSIS The digesters at the Water Pollution Control Plant produce methane gas which is compressed and used to mix the contents of the digesters and to meet the heating requirements of the plant. To comply with government regulations any gas fitting work must be carried out under the direct supervision of a certified gas fitter. It is proposed that the Plant Foreman attend the Ministry of the Environment course on Gas System Maintenance and write the examination for certification as a Maintenance Gas Fitter. See Memorandum from Mr. G. deLugt attached as Schedule "A".

FINANCIAL The cost of the course is approximately $350.00. Adequate funds are available in the Current Budget for Training Courses.

RECOMMENDATION That Mr. S.Hodgson, Water Pollution Control Plant Foreman be authorized to attend the Ministry of the Environment Training Course for Digester Gas Systems Maintenance to be held in Brampton September 24 to 28, 1979 with the cost being charged to Account 310-09 Training Courses.

D.Graham, P.Eng
Commissioner of Works

DG/gg
Att.

MEMORANDUM

TO: Mr. D. Graham, P. Eng.
Commissioner of Works

DATE: July 3, 1979.

RE: Mr. Hodgson - Attendance M.O.E. Training Course

It is suggested that Mr. Steve Hodgson should attend the "Digester Gas Systems Maintenance Workshop" to be held in Brampton from September 24, to 28, 1979. The successful completion of this course entitles Mr. Hodgson to write the examination required for certification as a Maintenance Gas Fitter.

It is rather important that Mr. Hodgson obtains this qualification, as it is essential that any gas fitting work is carried out by or under the direct supervision of a certified fitter. At the present time, only Mr. Payne has that qualification and he will no longer be able to be in attendance when gas fitting work needs to be done.

Apart from the travelling and accommodation costs for the week, the fees for the course and examination amount to $45.00. Funds have been provided in the current budget to meet these expenses.

I have attached a copy of the course description and recommend approval of the above arrangements.

G. de Lugt, P. Eng.
Deputy City Engineer

DG/jc
Att/Course description

COURSE DESCRIPTION

DIGESTER GAS SYSTEMS MAINTENANCE WORKSHOP

PURPOSE:

As required by the Energy Act 1971 and related Regulations, the workshop is designed to upgrade the knowledge and skills of personnel who operate and maintain the gas system in a wastewater treatment plant. On successful completion of this workshop, the individual may apply to write the Ministry of Consumer and Commercial Relations (MCCR) examination for certification as a Maintenance Gas Fitter

SCOPE:

The workshop covers the following topics:

A. DIGESTION PROCESS AND GAS PRODUCTION
B. DIGESTER GAS SYSTEM COMPONENTS
C. GAS PIPING
D. FUELS AND COMBUSTION
E. SAFETY

PRE-COURSE
FAMILIARIZATION:

When preparing to attend this workshop, an applicant should familiarize himself with digester operations, and review the Energy Act 1971, related Regulations and the Installation Codes for Natural Gas (CGA 149.1-1976), Propane (CGA 149.2-1976) and Oil Burning Equipment (CSA Standard B139-71).

PREREQUISITES:

The applicant must be employed in the maintenance of the gas system in a wastewater treatment plant. Desirably he should have completed the MOE workshop Primary Treatment and Sludge Digestion and have training in the procedures for safe entry into confined spaces.

PASSING GRADE:

(a) 70%

(b) A passing grade of 75 per cent must be attained on the MCCR test for certification as a Maintenance Gas Fitter.

REGISTRATION FEE:

$25.00 payable to "Training and Certification Section", for the workshop
$20.00 payable to Treasure Of Ontario if the individual elects to write the MCCR Certification examination.

FILE
#5-2

THE
CITY OF WINDSOR

J. B. ADAMAC, C.M.C.
CITY CLERK

OFFICE OF THE CLERK

CITY HALL
WINDSOR, ONTARIO
N9A 6S1
TELEPHONE 255-6211
255-6215
PLEASE REFER
TO FILE NO. (25A-1) jb

CITY COUNCIL
MEETING OF:
25 JUN 1979

COMMUNICATION
No: 347

June 15, 1979

TO ALL MUNICIPALITIES IN ONTARIO:

Windsor City Council adopted the following resolution at its meeting held June 11, 1979:

"707/79 WHEREAS prior to a change in legislation in 1972 many Ontario municipalities found it desirable to provide for a three year term of office for the Council and other local elective offices ; and

WHEREAS for the following reasons, many municipalities, and in particular, large urban communities, should be given the option of three year terms:

(a) decisions made by local municipalities require long range financial and land use planning and the implications of such planning often have a very long term effect;

(b) good long range planning is made very difficult by a two year term;

(c) election campaigning is costly and a two year term may limit the ability of many people to participate in municipal government;

(d) in large urban areas election campaigns may require several months to complete;

(e) municipalities would be able to share costly votomatic and other election equipment; and also the cost to municipalities to conduct elections would be reduced; and

WHEREAS in most Canadian provinces the term for municipal officials are three years; and

WHEREAS the Municipal Liaison Committee representing over 800 Ontario Municipalities supports a three year term;

THEREFORE BE IT RESOLVED that the province be requested to amend the Municipal Elections Act to give municipalities the option of implementing three year terms for municipally elected representatives;

AND FURTHER that a copy of this resolution be sent to other municipalities, local members of the Legislative Assembly for support, and to the Association of Municipalities and the Municipal Liaison Committee for consideration."

Your support of this matter would be appreciated.

Yours very truly,

City Clerk
/dl

City of Kingston
RECEIVED
JUN 20 1979
DEPARTMENT OF
THE CITY CLERK

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: The Board of Management of the Grand Theatre.

DATE: July 4th, 1979.

At a meeting of the Board of Management for the Grand Theatre held on July 3rd, 1979, the following resolution was passed:

"That it be recommended to Council that,

WHEREAS the sum of $20,300. was included in Account #4690 (Contributions from Current Revenue) in the 1979 Grand Theatre Budget, to provide for repairs to the roof and boiler at the Grand Theatre;

AND WHEREAS application was made to Wintario for financial assistance for the necessary roof repairs;

AND WHEREAS Wintario granted approval of such application, subject to one-third of the cost of the roof repairs being raised by public donation;

AND WHEREAS, with the exception of approximately $400 still to be raised, public donations have been received for the required amount;

AND WHEREAS, as a result of the foregoing, the sum of $12,400. remains unexpended in Account #4690;

THEREFORE BE IT RESOLVED that the remaining funds in Account #4690 be used in payment of the following repairs and acquisitions for the Grand Theatre:

1. Storm Windows	$1,200.00
2. Office Equipment (for new offices created by the renovations)	$ 800.00
3. Showcase and display units (for Princess St. windows and entrance area)	$ 700.00
4. Sound system (for new lounge)	$1,500.00
5. Repair and Clean Black Stage Curtains	$1,500.00
6. Lighting instruments and associated hardware	$6,000.00
7. Tools, ladder, first aid equipment, etc.	$ 700.00
	$12,400.00 "

Lila Kitching

Lila Kitching,
Secretary,
Grand Theatre Board.

SCHEDULE "G" -REPORT NO.74 (Page 1)

JUL 3 1979

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
Director of Planning and Urban Renewal

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

June 29, 1979.

MEMORANDUM TO: Mr. R.J. Hamilton,
Chief Administrative Officer,
City Hall.

Re: Removal of a portion of the CP Rail trackage located south of the New Canadian National main line, in the City of Kingston.

CP Rail wishes to remove rail trackage in two locations in the City.

(a) On the spur line from Elliot Avenue south to the Coca Cola plant which is located on the north side of Railway Street;

(b) Trackage between Cataraqui Street and Place d' Armes.

It is understood that there are no customers requiring this particular trackage and it is also understood that the property will remain vested with CP Rail until such time as they offer it for sale. When and if it is offered for sale, it is their policy to offer it in the first instance to the Federal, Provincial and Municipal governments, in that order, before advertising it for sale by public tender.

The City may have an interest in acquiring some of the right-of-way, depending upon the recommendations of the Transportation Study now being conducted by Marshall, Macklin, Monaghan Ltd.

I have discussed the proposal with Mr. Stevens, the Industrial Commissioner, who states that it will not affect the City's interest in industrial development in any way.

There would not appear to be any reason why the City should object to the abandonment of this trackage. I would recommend that the City indicate its approval by passing the appropriate resolution.

I return Mr. Burroughs' letter and accompanying plans.

Yours very truly,

G.G. Muirhead

G.G. Muirhead, M.C.I.P.
Director of Planning and
Urban Renewal.

GGM/mm
Encls.

MEMORANDUM

TO: Mr. R. J. Hamilton,
Chief Administrative Officer

DATE: July 3, 1979.

RE: Sidewalks - Empire Life - Information

Mr. de Lugt has met with officials from Empire Life at which time they reviewed the condition of the sidewalks that surround the block occupied by Empire Life.

Empire Life were advised that on the basis of the inventory of City walks, three short sections would be included in the City's Local Improvement and General Rate Programs having a total estimated cost of about $5,000. With this information Empire Life have given the City a cheque for $14,100. This money is provided for additional walk reconstruction entirely at their expense and the work will be included in our sidewalk contract for this summer.

This work is being done for three reasons:

1. To cover the cost of new walks where entrances are being changed at two locations.
2. To replace walk damaged during building construction.
3. Where walks are not in such a poor state that they could be included in the City's program but Empire Life are of the opinion reconstruction is necessary to compliment their new complex.

D. Graham, P. Eng.
Commissioner of Works

DG/jc

OFF-ROAD MOTORIZED RECREATIONAL VEHICLES

WHEREAS the indiscriminate use of off-road motorized recreation vehicles is detrimental to the general welfare and safety of the Community and to the Environment and,

WHEREAS there is inadequate legislation and regulations relating to use of such vehicles and,

NOW THEREFORE be it resolved that the Province of Ontario through the Minister of Intergovernmental Affairs be requested to enact appropriate legislation providing for

(a) the registration and licencing of off-road motorized recreation vehicles

(b) the licencing of all drivers of such vehicles

(c) the regulation of the use of such vehicles

consistent with the report of the Commissioner of Parks and Recreation of the City of Brampton dated May 7th, 1979 - entitled "OFF-ROAD MOTORIZED RECREATIONAL VEHICLES".

TO: Mayor and Members of Council

FROM: Donald M. Gordon, Commissioner of Parks and Recreation

REPORT ON "OFF-ROAD MOTORIZED RECREATIONAL VEHICLES"

BACKGROUND

Over the past number of years the public has expressed concern and objection over the use of off-road motorized recreational vehicles on public and privately owned lands.

Several reports have been written on the subject with the conclusion that the major problem in urbanized areas is primarily with vehicles such as motorcycles, mini-bikes and trail bikes but also, to an ever increasing degree, with snowmobiles, pedal-bikes, all-terrain and modified large tired vehicles.

The City of Brampton, like many other municipalities, has attempted to accommodate such vehicles by providing specific areas as an alternative to riding on public parklands and private properties.

Along with this, organizations have been established to promote the safe and lawful usage of recreational vehicles in defined areas and to meet the interests of owners in terms of providing marked trails, competition and an opportunity for persons with similar interests to get together.

Unfortunately, these efforts have had a minimal deterrent effect on the majority of vehicle owners and the problems still exist.

The following is a summary of the problems connected with the ownership and use of off-road motorized recreational vehicles.

1. Damage to public and private property namely, grass, vegetation, soil compaction, fences and structures.

2. Disturbing the peace of residents due to the high level of noise emission of vehicles.

3. Pollution through exhaust fumes, gas and oil spillage.

4. Safety hazard for people and primarily children because of speed, inexperience and disregard for reasonable precautions in relation to the terrain of the area being travelled i.e. hilly and wooded areas, children's playground areas.

5. Lack of parental control, in terms of the age and capability of the driver and the areas where the vehicles are being driven.

6. The limited ability to enforce by-laws or existing legislation relating to off-road motorized recreational vehicles by by-law enforcement or police officers because of:
   - limited manpower
   - inadequate equipment or vehicles to apprehend offenders
   - absence of driver certification or licencing
   - absence of vehicle identification through licencing.

7. The reluctance of the Provincial Government to pass effective legislation to control the sale and use of off-road motorized recreational vehicles.

The aforementioned problems are those most apparent but there are additional long term effects to our environment which are best described in Appendix "A" to this report which was prepared by the Geological Society of America.

It is the opinion of staff that the most effective method of controlling and minimizing the detrimental effects of the use of off-road motorized recreational vehicles is to request the Provincial Government, in the strongest possible way, to enact legislation which would implement the following recommended procedures.

1. All off-road motorized recreational vehicles, prior to sale by any means, must be registered and licenced in the same manner and under the similar regulations and penalties as an automobile or motorcycle.

2. All drivers of off-road motorized recreational vehicles must be tested and licenced to operate such vehicles by the Ministry of Transportation and Communication.

   In the event of juveniles operating vehicles or otherwise contravening any regulations, the parent or guardian shall be held responsible for such actions.

3. Registered owners of off-road motorized recreational vehicles shall be responsible and liable for all usage of the vehicle(s). i.e. In the event an unlicenced driver was operating the vehicle in contravention of a by-law or the legislation, both the driver and the owner would be charged with the appropriate offences.

4. Off-road motorized recreational vehicles found operating on public or private property without written or designated permission may be impounded by the Police Department having jurisdiction.

5. All off-road motorized recreational vehicle owners and/or licenced operators are required to have public liability insurance in the same manner as required for automobiles.

6. Off-road motorized recreational vehicles may not be sold to any person under the age of sixteen (16) years and contravention of this requirement should be considered a serious offence.

7. Legislation governing the sale and use of off-road motorized recreational vehicles should provide for sufficient minimal penalties to deter contravention.

The report was circulated in draft form to all City departments and Peel Regional Police and responses received have been supportive of the recommendations.

RECOMMENDATION

It is recommended that Council endorse the report and recommendations contained therein and that the report and a resolution to Council be forwarded to all municipalities in Ontario and the A.M.O. for endorsation; the Premier of Ontario and Provincial Cabinet members.

Donald M. Gordon
Commissioner
Parks and Recreation

DMG/eb

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 7-3

June 28, 1979

MEMORANDUM

TO: Mayor and Members of Council
FROM: R.J. Hamilton, C.A.O.
RE: REQUEST FROM VILLAGE OF IRON BRIDGE FOR DISASTER RELIEF

Kingston recently approved an amount of $500.00 for the Field Springer Disaster Relief Fund which was forwarded to Sturgeon Falls. This represented the City's contribution to an estimated loss in the area of three million dollars. If we were to continue to follow this policy, the request attached from the Village of Iron Bridge, which represents total damage of $500,000., we should consider one sixth of the previous amount that was granted.

We would therefore recommend that the City of Kingston consider donating the amount of $100. for this purpose.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

TELEPHONE 843-2033

THE MUNICIPAL CORPORATION
OF THE
Village of Iron Bridge

IRON BRIDGE, ONTARIO
P0R 1H0

JUN [illegible] 1979

June 25, 1979.

R.J. Hamilton, C.A.O.
CITY OF KINGSTON
City Hall
Kingston, Ontario
K7L 2Z3

Dear Sir:

Please find enclosed a copy of a resolution declaring our municipality a disaster area.

Also enclosed is a letter of confirmation from Minister James A.C. Auld.

Please note that it is stated in this letter that 4 dollars for every 1 dollar raised will be matched up to a limit of 90% of the appraised claims. All claims will be processed through the claims committee before approval. These claims are primarily individual residences.

At this time, we would like to thank you for your serious consideration of contributing to the IRON BRIDGE DISASTER RELIEF FUND.

Yours very truly

Shirley Shackelton

Shirley Shackelton
Councilor in charge of the
IRON BRIDGE DISASTER RELIEF
FUND

SS/rm

MEMORANDUM OF AGREEMENT made in triplicate this twentieth day of June, A.D.1979,

BETWEEN: HER MAJESTY THE QUEEN in right of the Province of Ontario as represented by the Minister of Transportation and Communications, hereinafter referred to as the "Minister"

OF THE FIRST PART,

-and-

THE CORPORATION OF THE CITY OF KINGSTON, in the County of Frontenac, hereinafter referred to as the "Corporation"

OF THE SECOND PART.

WHEREAS the Corporation has proposed to improve a municipal airport located approximately four miles west of the City of Kingston in the Township of Kingston, County of Frontenac, known as the Norman Rogers Airport;

AND WHEREAS the Corporation has applied to the Minister for financial assistance;

AND WHEREAS the Minister has agreed to contribute financial assistance, pursuant to The Airports Act;

AND WHEREAS the Corporation has agreed to operate and maintain said airport as a public airport:

NOW THEREFORE THIS AGREEMENT witnesseth that in consideration of the premises the parties hereto, for themselves and their respective successors and assigns, hereby mutually agree each with the other as follows:

1. That the Corporation will endeavour to cause zoning by-laws and regulations to be enacted which may be necessary to control the height of structures on land on or about the airport in accordance with the current regulations of Transport Canada.
2. That buildings or structures shall not be erected on the airport nor the airport improved, altered or changed, sold or leased without the prior written consent of the Minister.

3. That a contract will not be awarded for the improvements hereinafter set out without the prior written approval of the District Municipal Engineer for District 8, Kingston.

4. That the improvements will be performed to plans and specifications approved by the said District Municipal Engineer.

5. That the Corporation shall maintain a separate record for all expenditures for which subsidy may be claimed, in such form and detail as the Minister may require and shall make such records together with all supporting documents available to the Minister for examination and audit upon request.

6. That the Minister will pay to the Corporation the contributions contemplated by this agreement from time to time as the work is completed and the final payment when satisfied the work has been completed in a good and workmanlike manner.

7. That the Minister, his employees and agents may enter upon the airport to inspect the airport and facilities from time to time.

8. That the Corporation shall comply with the Aeronautics Act and regulations made pursuant to that Act.

9. That the Corporation shall operate and maintain the airport to the standard necessary to hold a public airport license under the Aeronautics Act.

10. That the Corporation shall at all times indemnify and save harmless the Minister, his agents and employees, from and against any loss, damage, or injury and all actions, suits, proceedings, costs, charges, damages, expenses, claims or demands of any nature or kind arising out of or connected with the improvement, operation or maintenance of the airport.

11. That the works approved under this agreement, their costs and the contribution by the Minister are hereinafter set out:

	Description	Estimated Cost	Contribution by the Minister
(a)	Develop Airport Master Plan	$22,000	80% = $17,600
(b)	Renovate Runway 06-24 including Paving and Lighting	$224,800	50% = $112,400
	TOTAL	$246,800	$130,000

12. That the contribution by the Minister to the Corporation in respect of the aforesaid improvements estimated to cost Two Hundred and Forty-Six Thousand, Eight Hundred Dollars ($246,800), shall not exceed the sum of One Hundred and Thirty Thousand Dollars ($130,000).

IN WITNESS WHEREOF the Minister of Transportation and Communications on behalf of the party of the First Part has hereunto set his hand and the party of the Second Part has affixed its corporate seal attested by the hands of its proper officers duly authorized in that behalf.

SIGNED AND SEALED this day of A.D.1979.

Minister of Transportation and Communications

THE CORPORATION OF THE CITY OF KINGSTON

Mayor

Clerk

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
C. A. O.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

July 4, 1979

RE: Proposed Work at Norman Rogers Airport

Approval of the Minister of Ministry of Transportation and Communications is as follows:

	Estimated Cost	Subsidy	Net
Develop Airport Master Plan	22,000	17,600	4,400
Renovate Runway 06-24 including paving and lighting	224,800	112,400	112,400
	$246,800	130,000	116,800

Total 1979 funding approved by City Council

	$
1. Capital Fund Allocation	84,200
2. Revenue Fund	30,562
3. Contributions from Current Funds	21,600
	$136,362
Add: Subsidy as shown above	$130,000
Gross amount of work that can be undertaken in 1979	$266,362
Estimated contract for Runway Renovations including lighting	$ 216,000
Master Plan	22,000
	$238,000
Other Capital Costs	$ 28,362
TOTAL	$266,362

Memo to - Mr. R.J.Hamilton, Chief Administrative Officer

Date - July 5, 1979

SUBJECT

Extension of the approval of one way traffic on Concession St from Alfred St to Division St.

ORIGIN

As recommended by the Public Works Committee the Council has passed a by-law to authorize the one way traffic on Concession St between Division St and Alfred St for a period from May 15 to July 24, 1979 in order to make the construction of storm sewer, watermain and asphalt pavement possible to be completed within the time allowed for this work.

ANALYSIS

The construction had beeh delayed by the following unforeseen facts -

1. Due to the poor condition of the existing sanitary sewer the charge of blasting has to be reduced.
2. The existing sewer has to be repaired in three locations (with water and gas mains over the sewer).
3. Rock profile is higher than information we have on hand.
4. Unforeseen space confliction with watermain at Division St.
5. Weather conditions.

It is apparent that if traffic is not be another factor resulting in a further delay and more inconvenience, an extension of the one way traffic pattern is necessary.

The present approval is until July 24, 1979 which means that action needs to be considered at the July 9 meeting.

Looking at the work completed and what remains to be done, an extension from July 24 to August 17 is needed. Police, P.U.C., Fire and Traffic and Streets have no objection.

RECOMMENDATION

That the extension of one way traffic on Concession St from Division to Alfred St from July 24 to August 17, 1979 be authorized.

pl/gg

D.Graham, P.Eng
Commissioner of Works

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE

C. A. O.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

July 5, 1979.

TO Mayor and Council

RE: Kingscourt Public School Site

Members of Council will recall that we had prepared a report on this matter some time ago, which was referred to the Planning Board of City Council.

In the meantime, a Public Meeting was held on Wednesday, June 27, at the said school to obtain the views of the citizens of that area. The Mayor and a number of Aldermen who attended this meeting and the attached report from Mr. Fluhrer, sums up the discussions that prevailed. It is certainly clear that the public would like the Council to proceed to negotiate the purchase of this site.

We therefore recommend that Council authorize Mr. Fluhrer and myself to negotiate with the School Board for the purchase of these lands as quickly as possible. This property has been appraised by local valuers and it is recommended that we commence negotiations based on the lowest appraised value available, that is, $211,400. for the nine acres.

R. J. Hamilton,
C. A. O.

RJH:hh

MEMORANDUM

DEPARTMENT
OF
PARKS AND RECREATION

TO: R. J. Hamilton, C.A.O.

FROM: Douglas R. Fluhrer, Commissioner.

DATE: July 4, 1979.

RE: KINGSCOURT SCHOOL CLOSING - PURCHASE & PARK DEVELOPMENT

Further to my earlier reports to you and after the public meeting last week, I put forward my observations and recommendations.

The meeting was extremely well attended by both the public and our elected officials including the Mayor. The public was given, and took, maximum opportunity to speak and express their feelings, and I observed the following clear points came forward to us:

OBSERVATIONS

1. If the school must be closed and sold, the residents want the City to buy the property to preserve the open space for neighbourhood park purposes.
2. The residents do understand and agree that some of the school land will be divided into single family building lots and sold by the City to help offset the purchase costs. The actual layout and number of lots should go back in the form of a public meeting for their further consideration. The Mayor assured them this would be done.
3. The residents agreed and understood that a portion of Champlain Park could be subdivided into single family building lots if the park land left and directly north of the homes along Kirkpatrick Street is not less than three acres in size.

RECOMMENDATIONS

1. Council consider authorizing you to proceed to negotiate the purchase of Kingscourt School at a price fair to all concerned.
2. When this has been done and the price approved by Council, proceed with the public meeting to establish an acceptable layout for development on both Kingscourt School property and Champlain Park. This will require several sets of plans showing alternates, but these plans will only present technically and financially feasible proposals.

....Cont'd.

3. To determine what must be accomplished by way of dollar recovery through lot sales, we must consider:

    a) agreed purchase price of the school;
    b) demolition costs;
    c) park development costs;
    d) lot development costs (services:- water, sewer, power, gas, bell);
    e) marketing costs (sale of lots).

4. Lot locations on the Kingscourt School property, if placed along the existing border streets, Kingscourt Ave. and Oak St., will have very little development costs because most of the required services are already along the two streets. This will obviously render the best dollar for the City's purposes.

    While a park surrounded by homes does not represent good park planning, it is my feeling that in this case, with the proposed layout done by Planning, it will be acceptable and workable. It will also cause the least change in the surround to the existing abutting property owners.

5. The City could proceed this year (fall) to subdivide Champlain Park and thereby develop some cash flow and reduce interest costs.

6. All necessary zone changes and subdivision agreement procedures should be set in motion as soon as possible:

    Zone Change - Champlain Park 2+ acres
    Subdivision Agreement - Kingscourt
    - Champlain

CONCLUSION

In conclusion, I feel that this proposal, if accepted and executed as presented, will give the residents of the area a better distribution and use of park-open space, especially when considered in concert with the other existing park and school properties in the surrounding community.

Douglas R. Fluhrer

Douglas R. Fluhrer,
Commissioner.

DRF/sw

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
C. A. O.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

July 5, 1979.

TO Mayor and Council

RE: 1979 Budget - Sale of Lands

Mr. Cousins has set out the fact that the City has budgeted for the sale of property, and some discussion has taken place concerning the south west corner of Bath Road and Portsmouth Avenue. The amount attached was $150,000. and Mr. Cousins is seeking the direction of Council whether they wish to sell this piece of property as this time.

Council will recall that in 1977 the Finance Committee would not accept a tender for the sale of this parcel, however it would seem that we should request proposals from interested parties for the sale of these lands. At present it is requested that Council may or may not accept the proposed tender call in future.

We would therefore request that Council authorize Mr. Cousins to obtain proposals for the sale of these lands immediately.

R. J. Hamilton,
C. A. O.

RJH:hh

JUN 29 1979

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE City Treasurer

CITY HALL
KINGSTON, ONTARIO

June 29, 1979

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: B. G. Cousens,
City Treasurer

RE: 1979 Budget

During the 1979 budget discussions, we budgeted $150,000. for sale of city property. While Council did not designate at the time what property would be sold, the discussions centered around the property at the south-west corner of Bath Road and Portsmouth Avenue.

Council should make a decision on whether or not they wish to sell this property, in order that we will receive this revenue this year and keep our budget in balance. If they decide that they do not wish to sell the property, then amendments should be made to re-budget so that we will not end up the year with a deficit.

I might also add that we also budgeted $45,000. for the sale of 920 Portsmouth Avenue. Mr. Lamb has had this property listed for three months and has not had a purchaser, as yet. If we do not sell this property before the end of the year, this will give us a further deficit in revenue of $45,000.

For your information, I attach herewith a memorandum from Mr. Healy that outlines the details of the property located at Bath Road and Portsmouth Avenue.

BGC/jt
Encl.

FINANCE - C-4
FEB 9 1977
File No: 12-4.48

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE

CITY HALL
KINGSTON, ONTARIO

Clerk-Comptroller

File No. 12-4.48

February 4, 1977

Memorandum to:

Mayor K. A. Keyes, Chairman, and
Members of the Finance and Accounts Committee

Re: Land Sale - South-West Corner Bath Road and Portsmouth Avenue.

See attached sketch of the two City owned parcels.

An appraisal was obtained in January of 1976 from Mr. Ross McMahon as follows:

Parcel 1 - 2. Acres -	$ 145,600.
Parcel 2 -1.1 Acres -	70,000.
Total	$ 215,600.

Appraisal was based on Zoning under By-Law No. 8499, which would be "B-1" (Multiple Family) and 28 units per acre (maximum) are permitted.

This would allow the erection of 56 units on Parcel No. 1 and 30 units on Parcel No. 2 for a total of 86 units.

The Finance Committee called for tenders for the sale of lands in August of 1976 and in September received the tenders as detailed on attached.

In October the Finance Committee decided not to accept any of the tenders.

At the last meeting of the Finance Committee the attached offer was received from Bob Martin Construction Co. Ltd.

A) 28 units/acre - $215,000.

or

B) if rezoned to permit 50 units/acre - $387,500.

Respectfully submitted,

M. C. Healy,
Deputy City Clerk.

MCH/dms
Enclosures.

DATA SHEET

SALE OF LAND AT THE CORNER OF BATH ROAD AND PORTSMOUTH AVENUE

PARCEL NO. 1	- 2 Acres - Unimproved (S/W Corner of Bath Road and Portsmouth Avenue).
PARCEL NO. 2	- 1.1 Acres - Unimproved (S/W Corner of Bath Road and Eldon Hall Place).

(SEE PLAN ATTACHED AS SCHEDULE "A").

LOCATION:

Parcel No. 1

Situated on south-west corner of Portsmouth Avenue and Bath Road with a frontage on these two thoroughfares. Also has frontage on Eldon Hall Place - the latter extending westerly from Portsmouth Avenue.

Parcel No. 2

South-west corner of Portsmouth Avenue and Eldon Hall Place directly opposite Parcel No. 1

ZONING:

By-Law No. 8499, passed by Council July 28th 1975 and awaiting final approval by the OMB zones these properties "B 1" (Multiple Family) and 28 units per acre (maximum) are permitted.

This would allow the erection of 56 units on Parcel No. 1 and 30 units on Parcel No. 2 for a total of 86 units.

See Chief Building Inspector re regulations for "B 1" zones.

EASEMENTS:

(a) 10 foot wide PUC easement extending the length of Parcel 2.

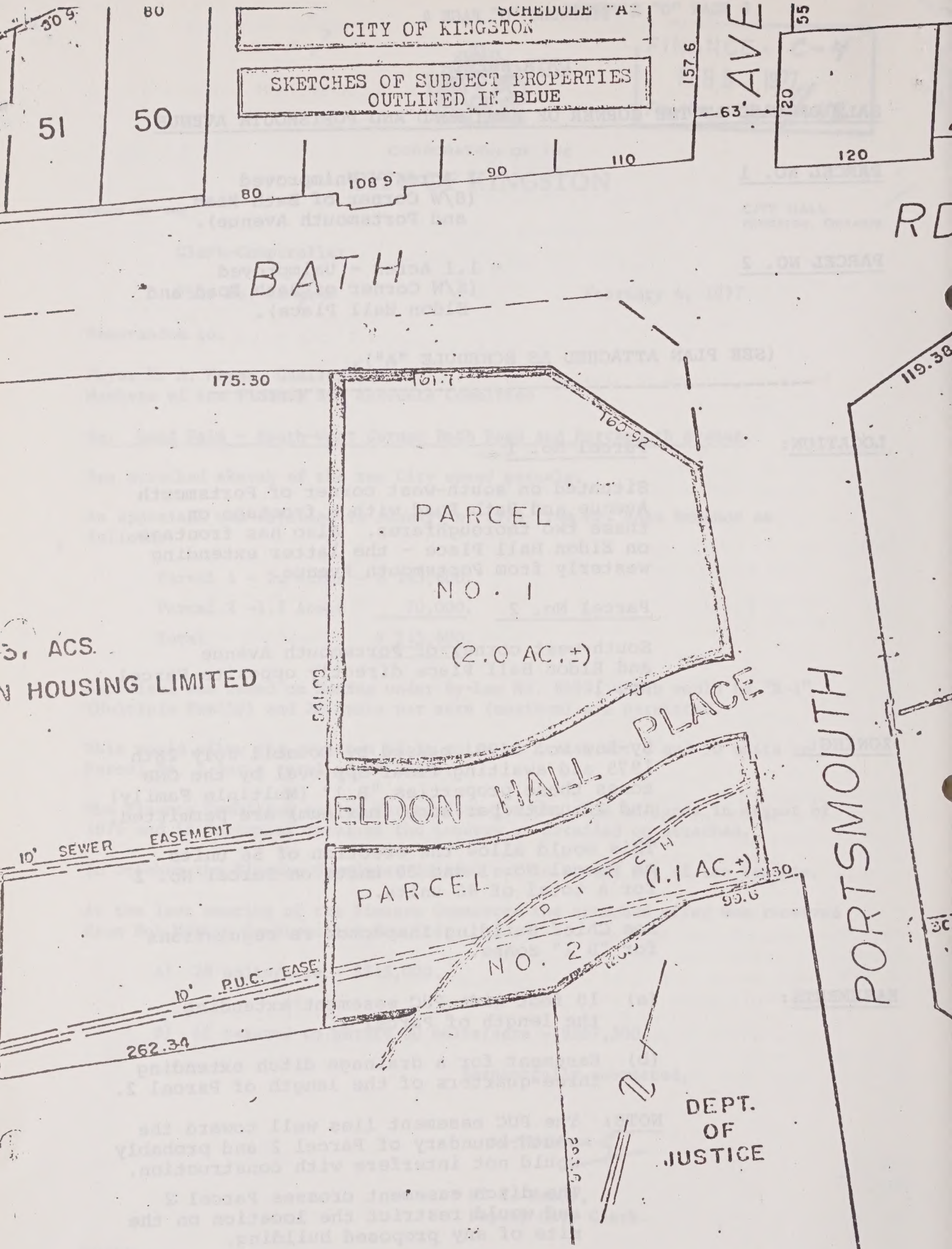
(b) Easement for a drainage ditch extending three-quarters of the length of Parcel 2.

NOTE: The PUC easement lies well toward the south boundary of Parcel 2 and probably would not interfere with construction.

The ditch easement crosses Parcel 2 and would restrict the location on the site of any proposed building.

It is suggested that this problem could be eliminated by the tiling of the ditch and if necessary this water course could be altered slightly to a point towards the southerly boundary of the lot.

SERVICES: See Plan attached as Schedule "B".


SCHEDULE "A"
CITY OF KINGSTON
SKETCHES OF SUBJECT PROPERTIES
OUTLINED IN BLUE
30.9
80
51
50
157.6
AVE
55
63'
120
120
110
90
108.9
80
RD
BATH
119.38
175.30
161.7
160.95
PARCEL
NO. 1
(2.0 AC.±)
ACS.
HOUSING LIMITED
ELDON HALL PLACE
10' SEWER EASEMENT
PARCEL
NO. 2
(1.1 AC.±)
30
95.6
DITCH
10' P.U.C. EASE
262.34
PORTSMOUTH
30
DEPT.
OF
JUSTICE

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: Mr. E. W. Taugher, Assistant Administrator,
Traffic, Streets and Parking Department.

DATE: July 5th, 1979.

SUBJECT Encroachment - Corner King St. and Clarence St.

ORIGIN Request from Dr. H. H. Westenberg in letter dated June 27th, 1979.

ANALYSIS Dr. Westenberg has requested permission to install ten-foot-long flower boxes along the sidewalk at the corner of 300 King Street and 65 Clarence Street, close to the curb, in line with hydro poles and fire hydrants, in order not to interfere with pedestrian traffic.

RECOMMENDATION That, notwithstanding the provisions of By-law 10, Dr. H. H. Westenberg be permitted to install ten-foot-long flower boxes along the sidewalk at the corner of 300 King Street and 65 Clarence Street, subject to Dr. Westenberg being responsible for the cost of installation and maintenance of such flower boxes; and further, that the City not be held liable if any claims arise therefrom.

:lk

E. W. Taugher,
Assistant Administrator.

COUNCIL

(1) Moved by Ald. Tarnowecky,
Seconded by Ald. Timmins,

That the Report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

MOTION

(1) Moved by Ald. Matthews,
Seconded by Ald. Hawkins,

That the congratulations of Council be extended to Ald. Bishop who celebrated his birthday on July 9th. He is one year older than he was a year ago.

CARRIED

NOTICE OF MOTION

(1) That the sum of $10,000.00 be allocated by the City of Kingston as a donation to assist in the relief of refugees from IndoChina. The disposition of these funds will be determined by the special committee being formed by Mayor Keyes and the Kingston Social Planning Council. This amount represents approximately 16¢ per capita.

TO BE REFERRED TO THE COMMITTEE OF THE WHOLE

(2) That the Planning Director and Staff be instructed to investigate and report to Council by November 1, 1979 the appropriate rezoning amendments in the Industrial Park Land zoned M to legalize all existing industrial, commercial, wholesale and retail businesses now existing.

TO BE REFERRED TO THE PLANNING DEPARTMENT and
CITY OF KINGSTON PLANNING BOARD

BYLAWS

(A) Moved by Ald. Timmins,
Seconded by Ald. Webb,

That By-Laws 1 to 18 be given their First & Second Readings.

CARRIED

(B) Moved by Ald. Bishop,
Seconded by Ald. Clark,

That Rule No. 35 of By-Law 1 be suspended for the Purpose of Giving By-Laws 15 to 18 their Third Reading.

CARRIED

(C) Moved by Ald. Clark,
Seconded by Ald. Gorham,

That By-Laws 15 to 23 be given their Third Reading.

CARRIED

(1) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of The City of Kingston" (Rezone Lands North of Counter Street and West of Division Street to Industrial M, M.94, M.96, and Flood Plain FP).

(FIRST & SECOND READINGS) (Proposed No. 79-138)
Clause 1, Report No. 73, 1979 *Ald. Gorham opposed*

(2) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning By-Law of The Corporation of The City of Kingston" (Rezone 119 Barrack Street from Zone A (One and Two Family) Residential to Zone A.165 (One and Two Family) Residential).

(FIRST & SECOND READINGS) (Proposed No. 79-139)
Clause 4, Report No. 73, 1979

(3) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning By-Law of The Corporation of The City of Kingston" (Rezone 0.2 ha Parcel of Land on South-East Corner of King Street East and Maitland Street from zone A (One and Two Family) Residential to zone A.166 (One and Two Family) Residential AND amend Zoning of 47 Wellington Street by Deleting Section 56.(a)ii. Which Permitted Medical Offices Therein.)

(FIRST & SECOND READINGS) (Proposed No. 79-140)
Clause 5, Report No. 73, 1979

(4) A By-Law to Amend the Official Plan of the City of Kingston Planning Area (Amendment No. 2: Delete Section 2(78) Which Allowed Limited Medical Office Space Within 47 Wellington Street).

(FIRST & SECOND READINGS) (Proposed No. 79-141)
Clause 5, Report No. 73, 1979

(5) A By-Law to Authorize the Reconstruction of Certain Pavements (General Rate).

(FIRST & SECOND READINGS) (Proposed No. 79-142)
Clause 2, Report No. 74, 1979

BYLAWS (Cont'd)

(6) A By-Law to Authorize the Reconstruction of the Concrete Sidewalk on the West Side of Gray Street from 23.6 m North of Concession Street Northerly 30.48 m Under the Provisions of Section 7 of *The Local Improvement Act*. (Petition).

(FIRST & SECOND READINGS) (Proposed No. 79-143)
Clause 6(a), Report No. 74, 1979

(7) A By-Law to Authorize the Reconstruction of the Concrete Sidewalk on the East Side of Wellington Street from 1.83 m North of Queen Street Northerly 56.16 m Under the Provisions of Section 7 of *The Local Improvement Act*. (Petition)

(FIRST & SECOND READINGS) (Proposed No. 79-144)
Clause 6(b), Report No. 74, 1979

(8) A By-Law to Authorize the Reconstruction of the Concrete Sidewalk on the North Side of Brock Street from King Street Easterly 12.95 m Under the Provisions of Section 7 of *The Local Improvement Act*. (Petition)

(FIRST & SECOND READINGS) (Proposed No. 79-145)
Clause 6(c), Report No. 74, 1979

(9) A By-Law to Authorize the Reconstruction of the Concrete Sidewalks on the North Side of William Street from King Street East Easterly 9.15 m and on the West Side of King Street East from William Street Northerly 7.17 m Under the Provisions of Section 7 of *The Local Improvement Act*. (Petition)

(FIRST & SECOND READINGS) (Proposed No. 79-146)
Clause 6(d), Report No. 74, 1979

(10) A By-Law to Authorize the Reconstruction of the Concrete Sidewalk, Including Reconstruction of Boulevard and Concrete Curb, on the North Side of Brock Street from Ontario Street Easterly 37.8 m Under the Provisions of Section 7 of *The Local Improvement Act*. (Petition)

(FIRST & SECOND READINGS) (Proposed No. 79-147)
Clause 6(e), Report No. 74, 1979

(11) A By-Law to Authorize the Reconstruction of the Concrete Sidewalks on the West Side of Ontario Street from William Street Northerly 23.17 m and on the North Side of William Street from Ontario Street Westerly 3.35 m Under the Provisions.

(FIRST & SECOND READINGS) (Proposed No. 79-148)
Clause 6(f), Report No. 74, 1979

(12) A By-Law to Authorize the Construction of a 7.93 m Wide Asphalt Pavement, With Curbs, Gutters and Boulevards, on Indian Road from Glengarry Road to McMichael Street Under the Provisions of Section 7 of *The Local Improvement Act*. (Petition)

(FIRST & SECOND READINGS) (Proposed No. 79-149)
Clause 6(g), Report No. 74, 1979

BYLAWS (Cont'd)

(13) A By-Law to Authorize the Construction of a 7.93 m wide Asphalt Pavement, with curbs, gutters and Boulevards, on Dorance Street from Victoria Street Easterly to the End Under the Provisions of Section 7 of *The Local Improvement Act.* (Petition).

(FIRST & SECOND READINGS) (Proposed No. 79-150)
Clause 6(h), Report No. 74, 1979

(14) A By-Law to Authorize the Construction of a Storm Sewer in Dorance Street from Victoria Street easterly 77.77 m and Including Non-Abutting, Equally Benefited, Frontage from 77.77 m East of Victoria Street Easterly 3.05 m, Under the Provisions of Section 7 of *The Local Improvement Act.* (Petition)

(FIRST & SECOND READINGS) (Proposed No. 79-151)
Clause 6(i), Report No. 74, 1979

(15) A By-Law to Authorize the Execution of an Agreement with Her Majesty the Queen In Right of the Province of Ontario as Represented by the Minister of Transportation and Communications (Financial Assistance - Norman Rogers Airport).

(THREE READINGS) (Proposed No. 79-152)
Clause 15, Report No. 74, 1979

(16) A By-Law to Amend By-Law No. 79-98, "A By-Law to Close Temporarily, A Portion of Concession Street between Division Street and Alfred Street During Construction of Underground Services and Reconstruction of Road (East Bound Lane). (Extend Period of Closing to August 17, 1979)

(THREE READINGS) (Proposed No. 79-153)
Clause 16, Report No. 74, 1979

(17) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets" (Flower Boxes on Sidewalk at Curb on Corner of King Street East and Clarence Street).

(THREE READINGS) (Proposed No. 79-154)
Clause 19, Report No. 74, 1979

(18) A By-Law to Confirm the Proceedings of Council at its Meeting Held July 9, 1979.

(THREE READINGS) (Proposed No. 79-155)
City Council Meeting No. 28, 1979

(19) A By-Law to Amend By-Law No. 495, "A By-Law to Provide for a Parking Meter Zone in Certain Streets or Portions Thereof, and to Provide for the Installation, Regulations, Supervision and Control of such Parking Meters". (Clause 10, Report No. 71).

(THIRD READING) (Proposed No. 79-128)
Clause 10, Report No. 71, 1979

BYLAWS (Cont'd)

(20) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act."

(THIRD READING) (Proposed No. 79-129)
Clauses 16, 18, 22 and 26)

(Note: Ministry of Transportation and Communications approval NOT required)

(21) A By-Law to Amend By-Law No. 495, "A By-Law to Provide for a Parking Meter Zone in Certain Streets or Portions Thereof, and to Provide for the Installation, Regulations, Supervision and Control of Such Parking Meters" (Clause 22, Report No. 71).

(THIRD READING) (Proposed No. 79-135)
Clause 22(a), Report No. 71, 1979

(22) A By-Law to Repeal By-Law 9034, "A By-Law to Stop Up and Close Queen's Crescent between University Avenue and Albert Street".

(THIRD READING) (Proposed No. 79-136)
Motion - City Council Meeting No. 26, Page 806
Ald. Miller abstained from voting

(23) A By-Law to Amend the Official Plan of the City of Kingston Planning Area (Amendment No. 1: Industrial Park, North of Counter Street)

(THIRD READING) (Proposed No. 79-83)
Clause 1, Report No. 46, 1979

* * *

UNFINISHED BUSINESS

Ald. Lampropoulos said that last week a tour of the airport had been arranged and he had had an opportunity to review the facilities there to become more familiar with the airport operations.

(Ald. Tarnowecky withdrew at 10:30 p.m.)

The airport seemed to be as old as Confederation and he had noticed that the airport manager had a very small office in part of one of the old buildings, where there was not even room for a visitor to sit down. He had kept looking for a terminal and a customs clearing building, but was told that this took place outside on the tarmac.

(Ald. Clark and Ald. Gorham withdrew at 10:34 p.m.)

Ald. Lampropoulos said he understood that the new strobe lights were still only half finished, even though this work began last October. In some places, the weeds were higher than the terminal building and this was plainly dangerous. He quoted the airport manager as having said that one day there would be a serious accident there. There appeared to be indifference towards the lives and safety of passengers. He could not understand this callous behaviour. A second storey at least was needed for safety in landings and take-off, so that this was clearly visible. you cannot see the planes after they leave the runway or before they come to it for landing. Last fall a collision was avoided because an employee who was standing up during change of shifts at 4 p.m. in the afternoon saw the planes ready to collide. He grabbed the mike and directed the planes to a safe landing. He hoped this would be taken into serious consideration so that something would be done before it was too late.

Acting Mayor Gerretsen said that he felt some of the remarks made by Ald. Lampropoulos were unfortunate to say the least. The airport had come a long way in the last five years but there was no way that construction of this kind could be done without federal and provincial support, and so far this had not been forthcoming. He certainly disagreed with the Alderman's remarks if he was implying that the City had been reckless.

Ald. Knapp said he wished to bring forward three items about which he had previously asked the Chief Administrative Officer for a report. First, residency stickers and whether or not Mr. Linseman had yet made a report on this matter. Second, whether any action had been taken with regard to reducing the City's heating costs by the use of heat pumps. Thirdly, he had asked whether it would be possible to have the Council agendas distributed a day earlier so that members of Council would have two working days at City Hall in order to obtain appropriate information prior to the Council meeting.

Ald. Knapp said he wished to bring to the attention of Council that preservation of Kingston's heritage could also have financial advantages and he quoted from recent articles in the press concerning the fact that due to gas shortages in the United States, many visitors from the U.S. were visiting Canada and that they found the old buildings and historic places extremely interesting. This was also true for other Canadians as well.

Ald. Knapp said he disliked the current trends for government bodies and individuals to "pass the buck" with respect to responsibility. He particularly referred to the recent controversy over 1.5 litre pop bottles - these were still being sold despite warnings as to their danger and no level of government seemed prepared to take action to stop this.

(Ald. Miller withdrew at 10:45 p.m. and Ald. Clark returned at 10:45 p.m.)

Ald. Webb said that he wondered if any communication had been received from senior levels of government concerning dangers from the re-entry of Skylab expected to occur at the end of the week.

Acting Mayor Gerretsen said he had been informed that the Chief of Police was in charge of this matter.

UNFINISHED BUSINESS (Cont'd)

Mr. Hamilton, Chief Administrative Officer, said that information had been received from the Emergency Measures Organization in Ottawa.

(Ald. Tarnowecky and Ald. Miller returned at 10:45 p.m.)

Ald. Gerretsen said that the Freedom of the City Parade would be held on Saturday, July 14, 1979 at 10:30 a.m. and all members of Council were invited. Following the parade, there would be a reception and Mr. Fluhrer would be contacting each member of Council in this regard.

Ald. Gerretsen said that on Wednesday, July 11, 1979 in the afternoon, the City Hall Staff Association Picnic would be held at Lake Ontario Park. All members of Council were invited to attend.

ADJOURNMENT

Moved by Ald. Lampropoulos,
Seconded by Ald. Hawkins,

That Council do now adjourn.

CARRIED

Council adjourned at 10:47 p.m.

(L.S.)

(Signed) *M. Houghton*,
Acting City Clerk,
Pro Tempore

(Signed) *J. Gerretsen*,
Acting Mayor

Local Govt.

CITY COUNCIL MEETING NO. 29

A Special Meeting of City Council, summoned by Mayor Keyes will be held on Monday, July 23, 1979 at 6:30 p.m. (until 8:00 p.m.) in the Alderman's Lounge, City Hall, to meet in session NOT open to the public to consider employee matters.

ROLL CALL

COMMITTEE OF THE WHOLE

(1) That Council resolve itself into a Committee of the Whole NOT open to the Public, with Mayor Keyes in the Chair, to consider the following employee matters:

a) Salaries of non-union personnel. (Representatives of the Kingston Administrative Association will be present).

(Note: a report from the Chief Administrative Officer was distributed to all members of Council with the Agenda)

b) Salary of the Fire Chief.

(Note: a report from the Chief Administrative Officer was distributed to all members of Council with the Agenda.)

c) Salary of the Personnel Director.

(Note: a report from the Chief Administrative Officer was distributed to all members of Council with the Agenda)

(2) That Council Rise from the Committee of the Whole and the Chairman Report.

COUNCIL

(3) That the Report of the Committee of the Whole be adopted, approved and confirmed.

* * *

BY-LAWS

(A) That By-Law 1 be given its First & Second Reading.

(B) That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of Giving By-Law 1 its Third Reading.

(C) That By-Law 1 be given its Third Reading.

* * *

(1) A By-Law to Confirm the Proceedings of Council at its Special Meeting Held July 9, 1979.

(THREE READINGS) (Proposed No. 79-156)
City Council Meeting No. 29, 1979

ADJOURNMENT

Local Govt.

CITY COUNCIL MEETING NO. 30

The regular meeting of City Council will be held on Monday, July 23, 1979 in the Council Chamber, City Hall at 8 p.m.

ROLL CALL

MINUTES

That the Minutes of Meeting No. 27, held on July 9, 1979 be confirmed. That the Minutes of Council Meeting No. 28 be amended to show that Notice of Motion No. 1 was:

Moved by Ald. Webb,
Seconded by Ald. Gerretsen,

and that Motion No. 2 was:

Moved by Ald. Hawkins,
Seconded by Ald. Gerretsen,

and, as amended, be confirmed.

PETITIONS

From Mr. George Speal, Q.C., a petition bearing the names of 2,000 residents of the City of Kingston. This petition was undertaken by a Kingston citizen, Mr. A.R. Patterson of 39 Worthington Place. The petition reads as follows:

> *"We, the undersigned regret the decision of the Kingston City Council to reduce the area of the proposed Shopping Centre in the vicinity of Weller Avenue and Division Street to a point where it is not considered a viable development.*
>
> *We believe that this development would provide much needed services to the population residing in this area and would also provide considerable tangible and intangible benefits to the City of Kingston; therefore, we urge the City Council to reconsider their decision at the first opportunity."*

(Note: A report from the City Solicitor with regard to reconsideration by Council of this matter was distributed with the agenda)

COMMUNICATIONS

To be Filed

(388) From Thorne Riddell & Company forwarding a copy of their booklet entitled, "Focus on Taxation".
(File No. 21-3.2)

(389) From The Liquor Licence Board of Ontario notifying that the application received from Seto's Chop Suey House Restaurant, 455 Princess Street, to convert the existing dining room to a dining lounge has been approved.
(File No. 12-6)

COMMUNICATIONS (Cont'd)

(390) From the City of Welland notifying that the resolution of the City of Kingston requesting an amendment to Section 304 of the Municipal Act, RSO 1970, Chapter 284 to increase the annual tax of $50.00, that municipalities may charge hospitals, mental health facilities, universities, community colleges and correctional institutions, was endorsed.
(File No. 19-7)

To be Referred to the Kingston Planning Board

(391) From the Municipal Liaison Committee advising that they have considered Clause 4, Report 61, which outlines four possible responses to the CMHC change to the standards for the Residential Rehabilitation Assistance Program and unfortunately, there was no consensus on any of the four options and in fact, none of the options were supported by a majority of the respondents. Because the replies were so evenly divided, the MLC decided it was not possible to make a recommendation to the Minister. The Minister and CMHC however, have now agreed that the standards and Agency Agreements will not be changed unilaterally by CMHC and that they will soon be communicating with municipalities in this regard.
(File No. 13-10)

To be Referred to Kingston Area Refugee Relief Committee

(392) From the Honourable Flora MacDonald, Secretary of State for External Affairs, thanking the City for its letter of June 19, 1979 relating to the refugee crisis in Southeast Asia and notifying that the number of refugees expected to settle in Canada by the end of 1979 may reach 12,000.
(File No. 3-6)

To be Referred to the City Solicitor

(393) From the Foundation for Aggregate Studies advising the City to delay their comments on the new Aggregates Act originally requested by September 15, 1979 as the Provincial Government has recently issued other policies affecting pits and quarries which means that the Aggregates Act cannot be considered in isolation. The Foundation therefore suggests that the City write to the Honourable James Auld, Minister of Natural Resources to obtain copies of the new documents and defer taking a position until these policies have been carefully studied.
(File No. 17-9)

To be Filed

(394) From the Hotel Dieu Hospital of Kingston advising that they are not supportive of the resolution of the City of Kingston requesting an amendment to Section 304 of the Municipal Act, RSO 1970, Chapter 284 to increase the annual tax of $50.00, that municipalities may charge hospitals, mental health facilities, universities, community colleges and correctional institutions, unless the Ontario Ministry of Health increases its grant or payment to the hospital for such purpose.
(File No. 19-7)

COMMUNICATIONS (Cont'd)

Which has been Referred to the Social Services Administrator and the Chief Administrative Officer

(395) From J.E. Taylor, Clerk-Administrator, County Court House, advising that at the meeting of the Frontenac County Council held on July 10, 1979, the following resolution was passed:

> *"Properly proposed and seconded that the Corporation of the City of Kingston be informed that the County of Frontenac has no desire to investigate a County Welfare System."*

(Clause 13, Report 65)
(File No. 19-7)

To be Filed

(396) Copy of a letter from the Liquor Licence Board of Ontario to Mr. I. Barnes (Associated Innkeepers) acknowledging receipt of his letter and plans for a building addition (revised plans) to the Holiday Inn, 1 Princess Street, Kingston.
(File No. 12-6)

Which has been Referred to the Planning Board & Housing SubCommittee

(397) From Central Mortgage and Housing Corporation forwarding results of their semi-annual rental appartment vacancy survey conducted in the Kingston Census Agglomeration. In addition to vacancy information, data was also collected on the rentals being charged for both occupied and vacant units.
(Note: the survey covered buildings containing six or more self-contained units completed prior to September 30, 1978. There are approximately 5,700 such apartment units in the private sector)
(File No. 8-3.9)

To be Referred to the Chief Administrative Officer

(398) From the Treasurer of the Sudbury Region Disaster Relief Committee, Dowling, Ontario requesting financial assistance from the City of Kingston because of extensive flooding damage to the Sudbury Region this spring. The cost of damages is estimated at one half million dollars.

(File No. 7-3)

To be Referred to the Chief Administrative Officer, City Solicitor and Building Inspector

(399) From the Ministry of Consumer & Commercial Relations advising the City that Ontario regulation 647 (provincial plumbing code) was amended on May 8, 1979 by Ontario regulation 295/79 and noting that Regulation 647 makes the municipality responsible for all prescribed inspections of plumbing and for having the plumber perform all required tests and further that the Ontario Plumbing Inspectors Association Conference will be held in the City of Niagara Falls, Ontario, from September 16th to September 19th, 1979 at the Sheraton Brock Hotel and included in the program will be a review of Regulation 647 respecting plumbing.
(File No. 2-4)

COMMUNICATIONS (Cont'd)

To be Filed

(400) Copy of a letter from Mayor Keyes to Mr. Wayne Bulak, President of the Eastern Ontario Olympic Club, congratulating him and the members of the Olympic Club for the guidance and coaching they have given to the young athletes who will be aspiring to chamionship level at the forthcoming events in Sudbury and Etobicoke during the month of August. The Club had been assisted with a grant of $200 from the City of Kingston.
(File No. 7-3)

(401) From the Ministry of Consumer & Commercial Relations advising that in regard to the City's letter of June 27, 1979 relating to the inspection of dispensing facilities in Kingston service stations, that a local representative will be doing a comprehensive survey of these facilities and that a ULC committee is working on standards with respect to hoses, nozzles and the interconnection of dispensers, hoses and nozzles.
(File No. 7-2)

(402) From Mr. N. Jackson, City Solicitor, submitting copies of two decisions of the Ontario Municipal Board respecting applications by the City of Kingston as follows:

a) An appeal from a decision of the Committee of Adjustment respecting a variance for an office-warehouse at 6 Cataraqui Street (the original application having been made by Marathon Realty Company).

b) An application by the City for approval of Restricted Area By-Law No. 9235 which amends By-Law No. 8499 to rezone certain lands on the east side of Montreal Street from E (Heavy Industrial) as set out in By-Law No. 3077 to A.153 (One and Two Family Residential, including other specific uses). (Elder's Beverages).

(Note: Copy of the City Solicitor's report and the decision of the Board with regard to b) was distributed to all members of Council with the Agenda)

(File No. 16-2.1)

To be Referred to City Treasurer and Administrator of Traffic & Streets and Parking

(403) From the Ministry of Transportation & Communications notifying that the City's 1979 subsidy allocation in the amount of $33,700 for Traffic Signal Installation and/or Modernization has been approved.
(File No. 21-5)

To be Filed

(404) From the City of Brampton notifying that the resolution of the City of Kingston requesting an amendment to Section 304 of the Municipal Act, RSO 1970, Chapter 284 to increase the annual tax of $50.00, that municipalities may charge hospitals, mental health facilities, universities, community colleges and correctional institutions, was endorsed.
(File No. 19-7)

COMMUNICATIONS (Cont'd)

(405) From the Liquor Licence Board of Ontario notifying that a public meeting will be held on August 7, 1979 at 10:00 a.m. at the Royal Canadian Legion, 261 Ontario Street, Kingston, to consider the application of the House of Peking Restaurant, 479 Princess Street, Kingston, for a dining lounge licence.
(File No. 12-6)

(406) From the Corporation of the City of Oshawa notifying that the resolution of the City of Kingston requesting an amendment to Section 304 of the Municipal Act, RSO 1970, Chapter 284 to increase the annual tax of $50.00, that municipalities may charge hospitals, mental health facilities, universities, community colleges and correctional institutions, was endorsed.
(File No. 19-7)

To be Referred to the Chief Administrative Officer

(407) From the Corporation of the City of Chatham requesting that the City endorse the following resolution:

> "WHEREAS the Provincial Legislature did on the 7th day of June, 1979 give first reading to Bill 124, "An Act to Amend The Municipal Act."
>
> AND WHEREAS the said Bill 124, if finally passed, will make it mandatory that Council by by-law require an election to be held to fill a vacancy in Council where the vacancy occurs before the 1st day of November in the year before an election year.
>
> AND WHEREAS it is the opinion of Council that the cost of conducting a by-election cannot be justified.
>
> AND WHEREAS the Council deems the present permissive legislation to be fair and equitable.
>
> THEREFORE be it resolved that the Legislature of Ontario be petitioned to reconsider the advisability of enacting the proposed amendment to The Municipal Act, and that the present permissive legislation remain in force.
>
> AND FURTHER that copies of this Resolution be forwarded to The Honourable Thomas L. Wells, Minister of Intergovernmental Affairs, The Association of Municipalities of Ontario, The Local Members of the Legislative Assembly and other Municipalities in Ontario, requesting their support."

(File No. 19-7)

COMMUNICATIONS (Cont'd)

To be Referred to The City of Kingston Planning Board, Planning Department and City Solicitor

(408) From the Ministry of Housing, notifying of the passing of Bill 96, 'An Act to Amend the Planning Act'. This amendment became effective on June 22, 1979 and was passed as a result of the decision by the Supreme Court of Canada which declared ultra vires the development control by-law of the City of Toronto. The main changes relate to the manner in which municipalities can exercise site plan controls directly, without securing OMB approval, rather than in a zoning by-law, and can also enact a by-law designating a site plan control area, within which no development can take place unless the council has approved the plans.

Note: a) copies of a Special Bulletin outlining the details of the Amendment have been distributed to all members of Council)

b) Bill 96 was proclaimed June 22, 1979

See Clause 1, Report No. 76

(File No. 17-4)

To be Referred to the Director of Planning & Urban Renewal

(409) From the Ministry of Housing advising that:

1) an objection will be raised to the OMB on any bylaws not received in metric units after September 1, 1979.

2) the Ministry is objecting to bylaws being submitted containing provisions with metric unit measurements and the corresponding imperial units bracketed beside them as this is confusing and could involve a legal problem of having two different measurements for the same provision, and suggesting that a separate conversion table listing metric units with their imperial equivalents be included for reference at the back of the bylaw.

3) that a policy that all existing zoning bylaws must be converted to metric units by December 31, 1979, has been established.

4) that the effect of the new subsection 45a. to the Planning Act which reads as follows is that approval of the OMB will not be required where a bylaw is amended to convert measurements to the metric system in accordance with the limits set out in this subsection 1 and subsection (2) protects the position of land, buildings and structures where a bylaw is passed or an order is made that conforms with subsection 1.

45a.---(1) Subsection 10 of section 35 does not apply to a by-law that amends a by-law only to express a word, term or measurement in the by-law in a unit of measurement set out in Schedule I of The Weights and Measures Act (Canada) in accordance with the definitions set out in Schedule II of that Act and that,

COMMUNICATIONS (Cont'd)

(409) Cont'd)

45a. (1)

(a) does not round any measurement so expressed further than to the next higher or lower multiple of 0.5 metres or 0.5 square metres, as the case may be; or

(b) does not vary by more than 5 per cent any measurement so expressed.

(2) Any land, building or structure that otherwise conforms with a by-law passed under section 35 or an order made by the Minister under section 32 does not cease to conform with the by-law or order by reason only of an amendment to the by-law or order that conforms with subsection 1.

(File No. 17-4)

COMMITTEE OF THE WHOLE

(A) That Council resolve itself into the Committee of the Whole to receive communications and reports, with Mayor Keyes in the Chair.

REPORTS

Report No. 75 - Implementation Committee

That Report No. 75 of the Implementation Committee be received and adopted clause by clause.

Report No. 76 - Chief Administrative Officer

That Report No. 76 of the Chief Administrative Officer be considered.

MOTIONS

(B) That Council rise from the Committee of the Whole and the Chairman report.

(C) That the report of the Committee of the Whole be adopted, approved and confirmed.

BYLAWS

(A) That By-Law Nos. 1 to 3 be given their First & Second Readings.

(B) That Rule No. 35 of By-Law No. 1 be suspended for the purpose of giving By-Law Nos. 1 to 3 their Third Reading.

(C) That By-Law Nos. 1 to 3 be given their Third Reading.

BYLAWS (Cont'd)

(1) A By-Law to Amend By-Law No. 1, "A By-Law to Regulate Council Procedures" (Amend Section 60(B)3-1 (Travel Allowance for City Employees and Section 60(c)1-1 Travel Allowance for Members of Boards and Members of Council).

(THREE READINGS) (Proposed No. 79-157)
Clause 1, Report No. 75

(2) A By-Law to Delete Section 5.30 of By-Law 8499, "Restricted Area (Zoning) By-Law of the City of Kingston."

(THREE READINGS) (Proposed No. 79-158)
Clause 1, Report No. 76

(3) A By-Law to Designate the City of Kingston as a Site Plan Control Area, Pursuant to Section 35(a) of The Planning Act, RSO 1970, As Amended.

(THREE READINGS) (Proposed No. 79-159)
Clause 1, Report No. 76

COMMITTEE OF THE WHOLE

(A) That Council resolve itself into the Committee of the Whole to receive reports with Mayor Keyes in the chair.

REPORTS

Report No. 77 - City of Kingston Planning Board

That Report No. 77 of the City of Kingston Planning Board be received and adopted clause by clause.

Report No. 78 - Chief Administrative Officer

That Report No. 78 of the Chief Administrative Officer be received and considered.

Report No. 79 - Rideaucrest Home Committee

That Report No. 79 of the Rideaucrest Home Committee be considered if presented.

REPORT NO. 75

July 17, 1979.

To the Mayor and Aldermen:

The Implementation Committee reports and recommends as follows:

1. That By-Law No. 1, 'A By-Law to Regulate Council Procedures', be amended as follows:

   a) Section 60, B) 3-1) (Travel Allowance for City employees)

      Delete "an allowance of $50.00" and substitute therefor "an allowance of $75.00", so that it reads:

      "3. When an employee is out of the City on City business, the following uniform travelling expenses shall apply, except where otherwise provided for the Industrial Commissioner:

      1) For periods requiring absence from the City of Kingston, an allowance of $75 shall be paid for each overnight stay up to 24 hours. This payment to include the cost of all meals."

   b) Section 60, C) 1-1) (Travel Allowance for Members of Council and Members of Boards)

      Delete "an allowance of $50.00" and substitute therefor "an allowance of $75.00", so that it reads:

      "1. When representatives of the City, including Members of Council and other persons who have been appointed by Council to serve as members of local boards (as defined in The Municipal Affairs Act) or any other body, attend conventions or travel outside the City on City business, the following uniform travelling expenses shall apply:

      1) For periods requiring absence from the City of Kingston, an allowance of $75.00 shall be paid for each overnight stay up to 24 hours. This payment to include the cost of all meals."

Respectfully submitted,

CHAIRMAN

REPORT NO. 76

June 20, 1979.

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

1. That as recommended by the City Solicitor, as Bill No. 96, amendment to Section 35a, of the Planning Act, R.S.O. 1970, as amended, came into force and effect on June 22nd 1979, the following by-laws be presented to Council:

   a) A by-law to delete Section 5.30 of By-Law 8499, "Restricted Area (Zoning) By-Law of the City of Kingston".

   b) A By-Law to Designate the City of Kingston as a Site Plan Control Area, Pursuant to Section 35(a) of The Planning Act, R.S.O. 1970, as amended.

   (Note: Copy of report of City Solicitor attached hereto.)

Respectfully submitted,

R. Hamilton,
Chief Administrative Officer.

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE City Solicitor

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

CITY OF
COPY
FOR:
R. Hamilton

Our Ref. No. D-25

MEMORANDUM

TO: Mr. R. J. Hamilton,
Chief Administrative Officer

FROM: Norman C. Jackson,
City Solicitor

DATE: July 20, 1979

RE: Bill 96 - An Act To Amend The Planning Act
Respecting Development Control

Yesterday I was advised by the City Clerk and the City Planner that they had received a Special Bulletin from the Province indicating that Bill 96 became effective June 22, 1979. Bill 96 repeals the old Section 35(a) of The Planning Act (for Development Control) and substitutes a new Section 35(a).

Section 1 requires a short by-law to be passed by the Council designating an area of the City as an area of Site Plan Control. This by-law could designate the whole of the City of Kingston. It is not necessary, under the new Act, to repeat all the provisions of the Act, but only to designate an area which will then bring the Act into existence. This is similar to what had been required in the past to bring Subdivision Control into effect.

A City can provide exemption for certain types of minor development, and could provide for the same exemptions as are contained in our present by-law. The provisions are similar to what were contained in the old Section 35(a) but it is to be noted that, while elevation and cross section drawings are still required, excluded now, under the Act, are certain interior areas, the colour, texture and type of materials, window detail, construction details, architectural detail and interior design. It is interesting to note, as well, that the widening of highways and easements that can be required by the municipality are now expressly stated to be at no expense to the municipality.

......../2

This Act, is stated, in Section 4, to come into force on the day it receives Royal Assent. Royal Assent was given on June 22, 1979. Since Section 1 repealed the old Section 35(a), any action taken by City Council under Development Control Applications, since the effective date of the new Statute (June 22, 1979), should have been under the new Statute, with the appropriate by-law having been passed by the Council. With not having received notice until yesterday, unfortunately, the new by-law was not in place.

In examining the provisions of the Bill, Section 3 provides that previous agreements entered into under the old legislation are declared to be valid and binding. However, this would apply to agreements entered into by the municipality only up to and before the day that the new Section 35(a) was to come into force. Section 2 of the Act deems certain by-laws to continue in force, but it would be my interpretation that the only by-laws deemed to continue in force would be those which were specific and covered individual features of the site. The City of Toronto has enacted some specific Site Plan by-laws of this kind.

On checking with the Legal Counsel for the Ministry of Housing, he has agreed with me that Section 2 will not validate a by-law which has not specifically set out the details of Development Control, and a by-law similar to the City of Kingston which has copied the previous legislation should be reenacted under the new legislation.

Since the new legislation has been in effect since June 22, 1979, I recommend the immediate passing of a short by-law designating the City of Kingston as an area of Site Plan Control. This should be done before any further Development Control Applications, whether they be amendments to previous agreements, or whether they be for new agreements, are approved of by City Council. The Legal Counsel for the Ministry of Housing has also confirmed to me that, even if previous agreements which were entered into before the new legislation came into force on June 22, 1979 are valid and binding, amendments to those agreements, if the amendments were entered into after the new legislation came into force, would not necessarily be valid and binding. Therefore, amending agreements should be processed after the approval by City Council of a new by-law designating the City of Kingston as an area of Site Plan Control.

On the City Council agenda for this Monday, July 23, 1979, there are two clauses from the Planning Board requiring amendments to previous Development Control Agree-

......../3

ments, and two clauses requiring the entering into of new Development Control Agreements. In order for Council to lawfully exercise its powers under the new legislation now in effect, Council should pass the by-law designating the City of Kingston as an area of Site Plan Control before approving of these applications for Development Control. I understand, as well, that at the previous Council meeting, on July 9, 1979, an application for Development Control was approved for Van Herpt Motors, this being the only other application for Development Control approved by City Council since the enactment of the new legislation. Since the Van Herpt Motors matter was approved by City Council under the old by-law, after the new legislation by the Province had come into effect on June 22, 1979, such decision by City Council should be re-affirmed in order to make the agreement required by Council and the building permit lawful.

I recommend that City Council not approve of any further Development Control Applications until it has passed the short by-law necessary designating the area of Site Plan Control. The passing of such by-law must, however, be in advance of the approval by Council of any further applications for Development Control. The by-law would be in effect immediately since it is no longer required to be in the Zoning By-law and it does not require the approval of The Ontario Municipal Board.

I include herewith a copy of Bill 96 which received third reading on June 22, 1979, has received Royal Assent, and is now in force and has been since June 22, 1979.

NCJ:dg
encl.

Norman C. Jackson,
City Solicitor.

c.c. to: Mr. G.G. Muirhead,
Director of Planning & Urban Renewal;

Mrs. Marion Houghton, ✓
Acting Clerk (Pro Tempore)

3RD SESSION, 31ST LEGISLATURE, ONTARIO
28 ELIZABETH II, 1979

An Act to amend The Planning Act

THE HON. C. BENNETT
Minister of Housing

An Act to amend The Planning Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

s. 35a, re-enacted

1. Section 35*a* of *The Planning Act*, being chapter 349 of the Revised Statutes of Ontario, 1970, as enacted by the Statutes of Ontario, 1973, chapter 168, section 10, is repealed and the following substituted therefor:

Interpretation

35*a*.—(1) In this section, "development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot.

Establishment of site plan control by by-law

(2) Where there is an official plan in effect in a municipality, the council of the municipality may, by by-law, designate the whole or any part of the area covered by the official plan as a site plan control area, but nothing herein authorizes the council to designate an area that is not within the limits of the municipality of which it is the council.

Designation of site plan control area

(3) A by-law passed under subsection 2 may designate a site plan control area by reference to one or more land use designations contained in a by-law passed under section 35.

Approval of plans or drawings

(4) No person shall undertake any development in an area designated under subsection 2 unless the council of the municipality or, where a referral has been made under subsection 10, the Municipal Board has approved one or both, as the council may determine, of the following:

1. Plans showing the location of all buildings and structures to be erected and showing the location of all facilities and works to be provided in conjunction therewith and of all facilities and works required under clause *a* of subsection 7.

2. wings showing plan, elevation and cross-section views for each industrial and commercial building to be erected and for each residential building containing twenty-five or more dwelling units to be erected which are sufficient to display,

(*a*) the massing and conceptual design of the proposed building;

(*b*) the relationship of the proposed building to adjacent buildings, streets, and exterior areas to which members of the public have access; and

(*c*) the provision of interior walkways, stairs and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings,

but which exclude the layout of interior areas, other than the interior walkways, stairs and escalators referred to in clause *c*, the colour, texture and type of materials, window detail, construction details, architectural detail and interior design.

Proviso

(5) Nothing in this section shall be deemed to confer on the council of the municipality power to limit the height or density of buildings to be erected on the land.

Conditions to approval of plans

(6) As a condition to the approval of the plans and drawings referred to in subsection 4, a municipality may require the owner of the land to,

(*a*) provide to the satisfaction of and at no expense to the municipality any or all of the following:

1. Widenings of highways that abut on the land.

R.S.O. 1970, c. 201

2. Subject to *The Public Transportation and Highway Improvement Act*, facilities to provide access to and from the land such as access ramps and curbings and traffic direction signs.

3. Off-street vehicular loading and parking facilities, either covered or uncovered, access driveways, including driveways for emergency vehicles, and the surfacing of such areas and driveways.

4. Walkways, including the surfacing thereof, and all other means of pedestrian access.

5. Facilities for the lighting, including floodlighting, of the land or of any buildings or structures thereon.

6. Walls, fences, hedges, trees, shrubs or other groundcover or facilities for the landscaping of the lands or the protection of adjoining lands.

7. Vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material.

8. Easements conveyed to the municipality for the construction, maintenance or improvement of watercourses, ditches, land drainage works and sanitary sewerage facilities on the land.

9. Grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon;

(*b*) maintain to the satisfaction of the municipality and at the sole risk and expense of the owner any or all of the facilities or works mentioned in paragraphs 2, 3, 4, 5, 6, 7, 8 and 9 of clause *a*, including the removal of snow from access ramps and driveways, parking and loading areas and walkways;

(*c*) enter into one or more agreements with the municipality dealing with any or all of the facilities, works or matters mentioned in clause *a* or with the provision and approval of the plans and drawings referred to in subsection 4.

Registration of agreements

(7) Any agreement entered into under clause *c* of subsection 6 may be registered against the land to which it applies and the municipality is entitled to enforce the provisions thereof against the owner and, subject to the provisions of *The Registry Act* and *The Land Titles Act*, any and all subsequent owners of the land.

R.S.O. 1970, cc. 409, 234

Application of R.S.O. 1970, c. 284

(8) Section 469 of *The Municipal Act* applies to any requirements made under clauses *a* and *b* of subsection 6 and to any requirements made under an agreement entered into under clause *c* of subsection 6.

drawings referred t[illegible] subsection 4 within thirty days after they are submitted to the municipality for approval or where the owner of the land is not satisfied with any of the requirements made by the municipality under subsection 6 or with any part thereof, including the terms of any agreement required, the owner of the land may require the plans or drawings or the unsatisfactory requirements or parts thereof or the agreement, as the case may be, to be referred to the Municipal Board by written notice to the secretary of the Board and to the clerk of the municipality, and the Board shall then hear and determine the matter in issue and settle and determine the details of the plans or drawings and approve the same and settle and determine the requirements, including the provisions of any agreement required, and the decision of the Board is final.

(10) Where the council of a municipality has designated a site plan control area under this section the council may, by by-law,

(*a*) define any class or classes of development that may be undertaken without the approval of plans and drawings otherwise required under subsection 4; and

(*b*) delegate to either a committee of the council or to an appointed officer of the municipality identified in the by-law either by name or position occupied, any of the council's powers or authority under this section, except the authority to define any class or classes of development as mentioned in clause *a*.

Notwithstanding section 1 of this Act, section 35*a* of *The Planning Act*, as it exists on the day before this Act comes into force, shall be deemed to continue in force in respect of any by-law passed under that section prior to the day before this Act comes into force.

Every agreement entered into by a municipality after the 16th day of December, 1973 and before the day that section 35*a* of *The Planning Act*, as re-enacted by section 1 of this Act, comes into force, to the extent that the agreement deals with facilities and matters mentioned in subsection 2 of section 35*a* of *The Planning Act* as it exists on the day before this Act comes into force, is hereby declared to be valid and binding.

This Act comes into force on the day it receives Royal Assent.

The short title of this Act is *The Planning Amendment Act, 1979*.

BILL 96

An Act to amend
The Planning Act

1st Reading

May 17th, 1979

2nd Reading

June 5th, 1979

3rd Reading

June 22nd, 1979

THE HON. C. BENNETT
Minister of Housing

1979

REPORT NO. 77

July 18, 1979.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. That the Development Control Agreement between the City of Kingston and Paron Construction Ltd., approved by Council on July 24, 1978, be amended in accordance with the following plans:

Plan #1 - Site Plan - Scale 1/16"=1'0" - June 15, 1979
Plan #2 - Level B - Floor Plan - Scale 1/16"=1'0" June 15, 1979
Plan #3 - Level A - Floor Plan - Scale 1/16"=1'0" June 15, 1979
Plan #19 - Elevations (North & South) Scale 1/16"=1'0" June 15, 1979
Plan #20 - Elevations (East & West) Scale 1/16"=1'0" June 15, 1979
Plan #21 - Elevation (West) Scale 1/8"=1'0" - June 15, 1979
Plan #22 - Elevation (South) Scale 1/8"=1'0" - June 15, 1979
Plan #23 - Elevation (North) Scale 1/8"=1'0" - June 15, 1979
Plan #24 - Elevation (Hotel North & South) = Scale 1/8"=1'0" - June 15, 1979
Plan #25 - Elevation (East) Scale 1/8"=1'0" - June 15, 1979

(Designer: Munro Ploen & Associates Ltd.)

- and -

subject to the following conditions:

a) that a landscaping plan for the remainder of the site not yet built upon shall be submitted to the City for approval not later than December 31, 1980;

b) that the owner shall enter into consultation with the owner of the adjacent development to be constructed by 361029 Ontario Ltd. for the purpose of endeavouring to achieve agreement upon a common design for the waterfront walkways of both projects.

(Ald. Miller opposed)

(Note: For the information of Council, the effect of the above plan changes will be as follows:

a) *The proposed walkway has been lowered so that it is at the grade level throughout its whole length;*

b) *The number of hotel rooms has been increased from 90 to 128 by reducing floor area allocated to physical recreation facilities, and adding one floor of rooms;*

c) *The number of stories in the hotel is increased from 5 to 6, although the height is decreased by 4 feet due to lower ceiling heights;*

d) *Overall bulk of the hotel is reduced by about 25%;*

e) *Total parking spaces are increased from 278 to 375 mainly through use of stacked parking and 8 ft. wide spaces in the hotel area;*

f) *The entire development grade level has been raised by 1 ft. to increase distance above water level;*

g) *The roof level of the condominium remains unchanged while the office building roof is lowered by 2 feet;*

h) *The lower podium (parking garage roofline) has been increased from 6.5 ft. above the Ontario Street sidewalk to 7.5 ft. while the differential for the upper podium differential has been increased from 10.5 ft. to 11.5 ft.*

i) *The podium wall immediately next to Ontario Street has been terraced back to allow for planters and a wheelchair ramp and steps.)*

2. WHEREAS on June 18, 1979 Council passed a resolution recommending tothe Minister of Housing that condominium approval be given to a 123 apartment building located on Ontario Street between Clarence and Johnson Streets, to be constructed by Paron Construction Inc.; and

WHEREAS such recommendation was subject to certain conditions, including the following:

> "that the approval in no way constitutes permission for land division of any portion of this development complex"

and

WHEREAS the Minister of Housing has notified the City that the very fact of registration of the condominium plan achieves a legal separation of the land; and

WHEREAS, after consideration, it is the opinion of the Planning Board that the above condition should be deleted;

THEREFORE BE IT RESOLVED THAT the Minister of Housing be informed that the City wishes to delete the above condition from Clause 2, Report No. 67, 1979.

3. That the agreement dated 18th December 1978, between the City of Kingston and 361029 Ontario Limited, which agreement amends an agreement dated June 22, 1970 (as amended December 13, 1971) with respect to development of Block 'C', be further amended in accordance with the following plans:

Plan A2 - Parking Lower Level - Scale 1/8"=1'0 - June 19, 1979
Plan A3 - Parking Upper Level Plus Retail - Scale 1/8"=1'0" - June 19, 1979
Plan A4 - Second Floor - Scale 1/8"=1'0" - June 19, 1979
Plan A5 - Third Floor - Scale 1/8"=1'0" - June 19, 1979
Plan A6 - Fourth Floor - Scale 1/8"=1'0" - June 19, 1979
Plan A7 - Fifth to Twelfth Floors - Scale 1/8"=1'0" - June 19, 1979
Plan A8 - Roof & Mechanicals - Scale 1/8"=1'0" - June 19, 1979
Plan A13 - Elevation Ontario St. - Scale 1/8"-1'0" - June 19, 1979
Plan A14 - Elevation William St. - Scale 1/8"=1'0" - June 19, 1979
Plan A15 - Elevation Waterfront - Scale 1/8"-1'0" - June 19, 1979
Plan A16 - Elevation Johnson St. - Scale 1/8"=1'0" - June 19, 1979
Plan A17 - Cross Section (North-South) - Scale 1/8"-1'0" June 19, 1979
Plan A18 - Cross Section (East-West) - Scale 1/8"-1'0" - June 19, 1979

(Designer: The Webb Zerafa Menkes Housden Partnership, Architects and Engineers)

- and -

subject to the following conditions:

a) that the building commonly referred to as the Hanley Station shall be preserved and renovated at the expense of the owner;

b) that the owner shall landscape a 20 foot strip of William Street until such time as development of the remaining blocks in the complex proceeds;

c) that the owner shall enter into consultation with the owner of the adjacent development now being constructed by Paron Construction Ltd., for the purpose of endeavouring to achieve agreement upon a common design for the waterfront walkways of both projects;

3. (Cont'd)

(Note: For the information of Council, the effect of the above plan changes will be as follows:

a) *Parking layout and access have been changed, resulting in a decrease of parking from 164 spaces to 143;*

b) *Retail space layout has been adjusted with floor area about the same as on earlier plans;*

c) *additional recreational space has been placed on the lowest floor of the apartment building;*

d) *Roof elevation is at 374 ft. + above sea level, while the original plans were at 377 ft. ±*

e) *Certain internal layout changes have resulted in changes to the appearances of the exterior elevations i.e. roofline, balconies, fenestration and treatment of the ground floor exterior walls, windows, doors, steps, etc.*)

4. That the development control agreement between the City of Kingston and Mr. Edward Bak (approved by Council as Clause 1, Report No. 10, 1977) with respect to a building at 331 King Street East, now owned by Mr. M.J. Ottenhof, be amended in accordance with the following plans submitted by Mr. M.J. Ottenhof:

Plan #1 - Existing Dimensions - Scale 1/4"=1'0" - June, 1979

Plan #2 - Main Floor Plans - Scale 1/4"≐1'0" - June 1979

Plan #3 - Cross Section & Typical Floor Plans - Scale 1/4"-1'0"
- June 1979

Plan #4 - Section & Elevation - Scale 1/4"=1'0" - June 1979

(Matthew J. Ottenhof - Tom Roberts, Engineer)

and further -

That the said agreement be also amended to:

a) delete reference to the original plans and add the aforementioned plans;

b) that the following clauses be added:

   i) that fire emergency exits shall meet the requirements of the Ontario Building Code;

   ii) that the design and location of all exterior lighting shall be subject to City approval.

5. That no action be taken on the request submitted by Dr. Hans Westenberg, that By-Law No. 79-141 'A By-Law to Amend the Official Plan of the City of Kingston Planning Area (Amendment No. 2: Delete Section 2(78) Which Allowed Limited Medical Office Space Within 47 Wellington Street)' and By-Law No. 79-140, 'A By-Law to Rezone Land on the South-East Corner of King Street East and Maitland Street AND Amend Zoning of 47 Wellington St. by Deleting Section 56.(a)ii. Which Permitted Medical Offices Therein', be amended on third reading to substitute 3 apartment units for the 1750 sq. ft. of space formerly used as a medical office.

6. That the following plans, submitted by the Frontenac, Lennox & Addington County Roman Catholic Separate School Board, for eight temporary portable classrooms at St. Peter's (1), St. Paul's (1) and Regiopolis-Notre Dame (6) Schools:

Plan 1(a) - Floor Plan - Scale 1/16"-1'0" - July 3, 1979

Plan 1(b) - Site Plan - Scale 1"=30' - July 3, 1979

Plan 2 - Site Plan - Scale 1"-40' - July 4, 1979

Plan 3 - Site Plan - Scale 1"=40' - July 4, 1979

be approved, subject to the owner entering into a development control agreement, which shall include the following conditions:

a) that development shall be in accordance with the above listed plans;

b) that in view of the fact that these structures are of a temporary and portable nature, the approval shall be for not more than a five-year period from the date of the issuance of the building permits and said structures shall be removed prior to the expiry of the five-year period;

c) that the structures shall be subject to the recommendations of the Ontario Fire Marshal with respect to fire protection;

d) that any sewer connection for these buildings shall be subject to the approval of the Commissioner of Works.

7. That Development Control approval, granted by Council at its meeting on July 9, 1979, (Clause 7, Report No. 73) for an addition to the auto sales and service building located at 848 Portsmouth Avenue (Van Herpt Motors) be and is hereby reaffirmed.

(Note: This action is necessary due to an amendment to the Planning Act which received Royal Assent on June 22, 1979)

Respectfully submitted,

CHAIRMAN

REPORT NO. 78

July 23, 1979

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

1. That, as recommended by the City Solicitor, the Director of Planning & Urban Renewal, and the Commissioner of Works, no action be taken on the request by the solicitor for Mr. Bob Martin that Council pass a resolution requiring that should land on the opposite side of Queen Mary Road be developed at a future date, that the developer refund to Mr. Martin one-half of the cost of services now being installed by Mr. Martin on Queen Mary Road in connection with his development at that location, it being noted that the subject land is owned by the Cataraqui Region Conservation Authority, and any agreement with regard to costs of servicing should be subject to discussion between Mr. Martin and the Conservation Authority.

   (Note: A copy of the reports of the Chief Administrative Officer, the City Solicitor, Director of Planning & Urban Renewal, and the Commissioner of Works, are attached hereto as Schedule 'A') (4 Pages).

2. Moved by Alderman
   Seconded by Alderman

   That Report No. Clause 14, Report No. 74, which reads as follows, be lifted from the table and discussed along with the report of the Chief Administrative Officer and the City Treasurer:

   That, as recommended by the City Treasurer and Departments concerned, the following budget transfers be approved to provide additional funds to the various accounts, as a result of contract settlements, it being noted that all the said transfers are to increase wages in the accounts listed, and that the Finance Contingencies Account was increased on approval of the Budget to allow for such transfers:

	Account #	Increase	Decrease
Cataraqui Park - Wages	3251	$ 1,061.	
J.K. Tett Centre - Wages	329-01	251.	
Artillery Park - Wages	329-70	600.	
Parks - Wages	421-02	5,018.	
- Equip. Mtnce.	421-04	500	
- Bldg. Mtnce.	421-52	400.	
- Greenhouse	421-60	140.	
- Boulevard Mtnce.	421-64	272.	
- Traffic Islands & Tree Belts	421-65	272.	
- Weed Control	421-67	600.	
- Tree Trimming	421-70	2,116.	
- Development	421-87	540.	
Recreation - Mtnce. Equip.	423-43	300.	
- Outdoor Rinks	423-60	1,300.	
- Ball Diamonds	423-65	200.	
- Cont. from Revenue	423-80	130.	

2. (c) (Cont'd)

	Account #	Increase	Decrease
Elmer Youth Centre - Wages	428-60	$ 1,192	
Cook Youth Centre - Wages	429-01	1,162.	
Public Works - Mtce. Walks	313-85	2,000.	
- Perm't Pav'ts.	314-02	5,000.	
- Unpaved Roads	314-20	2,000.	
- Winter Control	314-34	5,000.	
- Winter Control	314-37	5,000.	
- Street Sweeping	314-61	5,000.	
- Sewers - Manhole Rep.	315-03	1,000.	
- Sewers - Cleaning	315-04	3,000.	
- Sewers - Laterals	315-10	1,000.	
- Supp. Pension	310-44	16,955.	
Traffic & Streets - Wages	362-01	1,125.	
Police - Salaries	3901	38,038.	
- School Aides	3903	1,848.	
Fire Dept. - Salaries	3301	37,230.	
- Supp. Pension	3301	51,497.	
Finance - Contingencies			$191,747.

(Note: Contracts involved: CUPE Local 109, Fire and Police.
Copy of report of City Treasurer is attached as Schedule "B" - 2 Pages).

3. WHEREAS under the terms of an Agreement with the Federal government, the City of Kingston has use of Federal Penitentiary land on the east side of the Portsmouth Harbour immediately adjacent to the Penitentiary wall; and

WHEREAS, under such agreement, the City and the Small Craft Harbours Branch, Federal Ministry of the Environment, must share the cost and responsibility of erecting a ten-foot security fence from King Street West to the water's edge, which fence was badly damaged during a recent storm; and

WHEREAS the cost of repairing such fence is estimated at approximately $1,000, half of which is the responsibility of the City and half the responsibility of the Small Craft Harbours Branch, Federal Ministry of the Environment; and

WHEREAS the said fence is a vital part of the security of the Penitentiary and requires immediate repair;

THEREFORE BE IT RESOLVED THAT, as recommended by the Commissioner of Parks & Recreation, that the following budget transfer be approved:

	Increase	Decrease
Account #329-61 - Land Mtnce. (Portsmouth Olympic Harbour)	$500.	
Finance Contingencies		$500.

(Note: Report of the Commissioner of Parks & Recreation is attached hereto as Schedule 'C'- 2 Pages).

4. That, as requested by the Public Utilities Commission, the consent of Council be and is hereby given, pursuant to Section 41(5)(b) of *The Public Utilities Act*, R.S.O. 1970, Chap. 390, to the Public Utilities Commission of the City of Kingston to expend an additional $78,000 from 1979 Revenue and Accumulated Revenue for consumer services, meters regulator and equipment, as follows, for the Gas Supply System in the City of Kingston, rather than issue debentures:

	Approved	Increase Requested	Revised Capital Expenditures
Consumer Services	$55,000	$50,000	$105,000
Meters Regulator & Equipment	27,000	28,000	55,000
	82,000	78,000	160,000

(Note: Original approval was given by Council on February 26, 1979 for a total of $115,500 - including Transmission and Distribution system, which requires no increase. The request of the P.U.C. is attached hereto as Schedule "D" - 2 Pages)

5. WHEREAS the Public Works Department has traded-in its water tank truck in order to purchase new equipment; and

WHEREAS the Parks & Recreation Department wishes to acquire the water tank truck in order to more efficiently provide water service for watering of trees and shrubs, and for outdoor rink flooding; and

WHEREAS sufficient unencumbered funds to provide half the cost of $1,200 are available in the Outdoor Rink account;

THEREFORE BE IT RESOLVED THAT, as recommended by the Commissioner of Parks & Recreation, the following budget transfer be approved:

	Increase	Decrease
Account #423-60 (Outdoor Rinks)	$600.	
General Ledger Account (Tree Bank Fund)		$600.

(Note: Reports of the Chief Administrative Officer and the Commissioner of Parks & Recreation are attached hereto as Schedule 'E' - 2 Pages.)

6. That, as recommended by the Chief Administrative Officer, a grant of $100.00 be made to the Township of Dover for Disaster Relief, said monies to be transferred from Finance Contingencies.

(Note: A copy of the report of the Chief Administrative Officer is attached hereto as Schedule "F" - 2 Pages.)

7. That, as recommended by the Chief Administrative Officer, the following resolution of the Town of Hawkesbury, be endorsed, it being noted that the matter of energy is becoming a serious matter in Canada, and energy conservation and saving should be encouraged wherever possible:

7. (Cont'd)

> *"Resolved, that in the interest of conserving energy and of increasing productivity, a recommendation be made to the Minister of Energy that the month of April be added to the Daylight Saving Time period, to take advantage of the early morning day light hours"*

8. That, as recommended by the Industrial Commissioner, the resolution of the Transportation Committee, approved by Council on May 14th 1979, as Clause 3, Report No. 51, which reads as follows be reaffirmed and that the Township of Kingston and the Ministry of Housing be so advised:

> *"WHEREAS the Kingston Area Planning Board resolved that approval of Official Plan Amendment No. 16 of the Township of Kingston be recommended to the Ministry of Housing, to change the designation from ENVIRONMENTAL PROTECTION AREAS*
>
> *a) for the area within the proposed subdivision to "LOW DENSITY RESIDENTIAL";*
>
> *and*
>
> *b) for the area on the Kingston Airport property, to "AIRPORT"*
>
> *NOW THEREFORE BE IT RESOLVED that the City of Kingston does not object to Official Plan Amendment No. 16, but recommends that the small triangular shaped land west of the proposed north/south arterial road and adjacent to the Kingston Airport boundary be designated "AIRPORT" to be consistent with the adjacent land on the west and south boundaries of this area."*

(See Schedule "G" attached hereto - 13 Pages).

9. The following Notice of Motion was referred to the Committee of the Whole at the Council Meeting held on July 9th 1979:

"That the sum of $10,000.00 be allocated by the City of Kingston as a donation to assist in the relief of refugees from IndoChina. The disposition of these funds will be determined by the special committee being formed by Mayor Keyes and the Kingston Social Planning Council. This amount represents approximately 16¢ per capita.".

(See Schedule "H" - 4 Pages - for a copy of the report of the Chief Administrative Officer, City Solicitor and City Treasurer.)

10. That, as recommended by Mayor Keyes, an amount of $200.00 be granted to the Ontario Hockey Association to provide for a Continental Breakfast for approximately forty guests during the Summer Semi-Annual Executive meetings of the Ontario Hockey Association to be held in the City of Kingston, as a charge to Finance Contingencies. (See attached Schedule "I").

11. That the City enter into an agreement with Correctional Service Canada, Frontenac Institution, to lease 500 acres of airport land for agricultural purposes commencing June 1st 1979, for a period of two years and a land use charge of $2,000.00, be approved.

(See attached Schedule "J")

12. That, as recommended by the City Solicitor, the attached resolution of the Town of Seaforth petitioning the Attorney General of Ontario to conduct an aggressive and thorough study of time-consuming courtroom procedures prevalent in Ontario courts and further, to analyse sentences being handed down from the bench for various crimes BE NOT ENDORSED.

(See attached Schedule "K")

13. That the attached report of the Commissioner of Industries and Airport Administrator re Proposed amendment No. 14 of the Official Plan of the Township of Kingston be considered. (See attached Schedule "L")

14. That further to City Council Meeting No. 27, held July 9th 1979, when an offer was approved for the extension of the Local 141 CUPE agreement for the year 1980 the attached recommendation of the Chief Administrative Officer be approved.

(See attached Schedule "M")

15. That, as recommended by the Commissioner of Industries and Airport Administrator, and subject to the approval of the Ontario Municipal Board of the necessary funding, Contract A79-42 for the reconstruction and associated lighting of Runway 06R/24L be awarded to Bennett Paving Limited in the amount of $218,716.64, being the lower of two tenders received.

(See attached Schedule "N")

16. That, as recommended by the Commissioner of Industries and Airport Administrator, a By-Law be presented to Council to "Provide for Regulations Respecting the Control of Motor Vehicles, Pedestrians, Aircraft and Equipment at the Kingston Airport".

(See attached Schedule "O". A copy of the proposed by-law was distributed to the members of Council with the agenda.)

Resepctfully submitted,

R. Hamilton,
Chief Administrative Officer.

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 12-4.52

July 17, 1979

MEMORANDUM

TO: Mayor Keyes and Members of Council

FROM: R.J. Hamilton,
C.A.O.

RE: Development Control Agreement
- Bob Martin Construction Co. Ltd.
Queen Mary Road

We are forwarding herewith the following documents concerning this matter.

(1) A letter from N.C. Jackson, City Solicitor to myself dated June 25, 1979.

(2) A reply to the City Solicitor's letter from Mr. G.G. Muirhead, Director of Planning and Urban Renewal dated June 29, 1979, and a reply from D. Graham, P.Eng., Commissioner of Works dated June 28, 1979.

Council will take note that Mr. Good, Solicitor for Mr.Martin is requesting Mr. Jackson to bring this matter to the attention of the Administration and further that City Council would be made aware of the request of Mr. Martin in this regard.

It is noted that Mr. Good, Solicitor for Mr. Martin, had suggested that the passing of a Council resolution indicating that should the property owned by the Cataraqui Region Conservation Authority, on the other side of the road, be developed in future with a need to hook into the services that Mr. Martin is providing, that the new developer would require to pay to Mr. Martin, one-half of the costs of the services that he is presently installing on Queen Mary Road.

The position outlined by Mr. Graham in particular and Mr. Muirhead, indicate that there is really no way that the City could provide any refund to a developer at a later date.

We would have to recommend that Council not pass the said resolution in this regard. It would seem to be that this matter should be discussed between the Cataraqui Region Conservation Authority and Mr. Martin and the City would not be involved in this matter.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
City Solicitor
Our Ref. No. D-33

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

MEMORANDUM

TO: Mr. R.J. Hamilton,
Chief Administrative Officer

FROM: Mr. Norman C. Jackson,
City Solicitor

DATE: June 25, 1979

RE: Development Control Agreement - Bob Martin Construction Co. Ltd. - Queen Mary Road

---

As you are aware, I am finalizing this land sale and have drafted a development control agreement. Under the terms of development control and under the terms of the purchase, Mr. Martin is obligated to construct Queen Mary Road and related services up to the entrance to his development. He has suggested that in accordance with normal practice that the City provide for a collect-back from the owner of the property on the other side of Queen Mary Road, in the event that that property should be developed and be in need of the services which he is presently providing. I indicated to him that such a request, although normal in most circumstances, was affected by the following factors:

1. The property on the other side of Queen Mary Road is owned by the Cataraqui Region Conservation Authority and is presently being used for park land and will, no doubt, continue as same in the future.

2. The provisions of the sale of the subject property by the City to him included the requirement that he provide the services in question.

3. There would be no way to force the abutting land owner to contribute one-half of the cost of the services before hooking in unless there was in existence a one foot reserve on the other side of Queen Mary Road next to the property owned by the Cataraqui Region Conservation Authority.

Notwithstanding these considerations, Mr. Good, solicitor for Mr. Martin, asked me to bring this matter to your attention and to Council's attention so that his request might be heard. He requests the passing of a Council resolution that should the property owned by the Cataraqui Region Conservation Authority on the other side of Queen Mary Road be developed in the future with a need to hook into the services that he is providing, that the developer pay to Mr. Martin one-half of the costs of the services that he is presently installing on Queen Mary Road.

Norman C. Jackson,
City Solicitor

NCJ/ks

UL - 3 1979

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
Director of Planning and Urban Renewal

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

June 29, 1979.

MEMORANDUM TO: Mr. R.J. Hamilton,
Chief Administrative Officer,
City Hall.

Re: Development Control Agreement - Bob Martin Construction Co. Ltd. - Queen Mary Road

Receipt is acknowledged of your memorandum of June 26th together with a copy of Mr. Jackson's memo to you.

I agree with Mr. Jackson that there is no legal way to require an owner of land on one side of a street to make a contribution towards the cost of services that may be incurred by a developer on the opposite side of the street if development on one side occurs at some later date. This is a not uncommon situation where properties being subdivided on opposite sides of a road are developed at different times and the first developer is obliged to assume the total cost of the services in the boundary road. Owners of property developed subsequently, usually decline to assume the costs incurred by the first subdivider and he may very well get a free ride on the services installed in the boundary road by the first subdivider and this is simply the way the cookie crumbles.

Yours very truly,

G. G. Muirhead

G.G. Muirhead, M.C.I.P.
Director of Planning and
Urban Renewal.

GGM/mm

c.c. Mr. N. Jackson

JUN 29 1979

MEMORANDUM

TO: Mr. R. J. Hamilton,
Chief Administrative Officer

FROM: Doug Graham, P. Eng.
Commissioner of Works

DATE: June 28, 1979

RE: Cost Sharing of Queen Mary Services - Bob Martin

This question has come up many times over the years. The City's position has been that we know of no way that we could provide any refund to a subdivider or developer if services on a boundary street benefit the owner on the other side at a later date.

A recent example was the proposed shopping centre north of 401. The developer had to extend sewer and water from Benson Street to the site on Division Street. CMHC owned the land opposite the shopping centre site on Division. The agreement put the onus on the developer to negotiate any compensation he could with CMHC.

D. Graham, P. Eng.,
Commissioner of Works

DG/jc

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 2-3.5

July 17, 1979

MEMORANDUM

TO: Mayor Keyes and Members of Council

FROM: R.J. Hamilton, C.A.O.

RE: BUDGET TRANSFERS

We are forwarding herewith a reply by Mr. Cousens to the recent request of Alderman Tarnowecky at Council for a written report explaining the transfers. We trust this will enable Council to approve the required transfers.

Council will note that all of the accounts listed are for wages and salaries only, with the greatest amount appropriated to the Police and Fire Departments. Approximately two-thirds of the transfers are for Police and Fire and the balance is for Parks and Recreation and Public Works. Public Works is for $45,000. and Parks is for $18,000. approximately.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

JUL 16 1979

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE City Treasurer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

July 16, 1979

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: B. G. Cousens,
City Treasurer

RE: Budget Transfers

At the last meeting of Council, my recommendation concerning budget transfers to cover the settlements for Local 109, Fire and Police was deferred.

Alderman Tarnowecky stated that he required more information. The one comment he made was that we were transferring money to Equipment Maintenance. I wish to clarify that all of the transfers in my recommendation are to increase wages in the accounts listed in the recommendation.

During Budget discussions, we provided for a 6% wage increase for Local 109 employees and Fire Department employees. The police budget contained an estimate of 8% and subsequently was settled by arbitration at 9 1/2%. Local 109 and Fire were settled at 8%. Since Local 141 were on the second year of a two year contract, we provided 8% in the 1979 Budget to cover this contractural commitment.

It is therefore, necessary to transfer the amounts as set out in my recommendation to cover wages in the various accounts. Finance Contingencies was purposely made greater at the time we approved the Budget to look after this matter.

BGC/jt

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 17-3

July 17, 1979

MEMORANDUM

TO: Mayor Ken Keyes and Members of Council

FROM: R.J. Hamilton, C.A.O.

RE: Storm Damage - Portsmouth Olympic Harbour

This matter was referred to Mr. Cousens for comment and he suggested that the City transfer the $500.00 from Finance Contingencies since the Olympic Harbour budget was reduced considerably at budget time and the comments by D. Fluhrer are quite in order.

We therefore recommend that Council authorize the said transfer at this time.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

JUL - 9 1979

MEMORANDUM

DEPARTMENT
OF
PARKS AND RECREATION

TO: R. J. Hamilton, C.A.O.

FROM: Douglas R. Fluhrer, Commissioner.

DATE: July 6, 1979.

RE: STORM DAMAGE - SECURITY FENCE - PORTSMOUTH OLYMPIC HARBOUR

The City has use of Federal Penitentiary Land on the east side of the Portsmouth Harbour immediately adjacent to the Penitentiary Wall.

As part of the agreement, surrounding conditions, was that the City and Small Craft Harbours Branch, Federal Ministry of the Environment, share the cost and responsibility of erecting a ten-foot security fence from King St. West to the water's edge.

In a recent storm a portion of the fence at the water's edge was destroyed. This is a very important security tool of the Penitentiary and they are insisting we repair it now. Our insurance does not cover this happening.

In the meantime, we have called quotations for the repairs and the job will cost approximately $1,000. Half of this amount ($500.) is our responsibility and the other half is the Small Craft Harbours Branch.

In light of the contents of the letter from Mr. Scrutton, Director, Regional Reception Centre, (attached), I am having the work done.

As for the money, the Small Craft Harbours Branch will pay their share, but as you know, our Portsmouth Harbour Budget does not have this kind of surplus money.

I am requesting that $500. be placed in our budget to cover this problem.

Douglas R. Fluhrer,
Commissioner.

DRF/sw

c.c. Lee Shipp

Attach.

PARKS AND RECREATION
CITY OF KINGSTON

Solicitor General Canada
Penitentiaries

Solliciteur général Canada
Pénitenciers

JUL - 3 1979

Your file Votre référence
Our file Notre référence

28 June 79

Mr. Lee Shipp
Director of Development & Revenue
Department of Parks & Recreation
City Hall
216 Ontario Street
KINGSTON, Ontario

Dear Mr. Shipp:

FENCING - KINGSTON PENITENTIARY

Further to our telephone conversation, may I request that immediate action be taken by the Parks & Recreation Department to replace the fallen part of the fence along the west side of Kingston Penitentiary. The security of the institution may be easily breached along the West Wall and/or South Gate by unscrupulous persons under present conditions. May this subject be treated as urgent, please.

S. M. Scrutton

S.M. Scrutton
Director
Regional Reception Centre (Ont)

Regional Reception Centre (Ont)
Correctional Service of Canada
P.O. Box 22
KINGSTON, Ontario

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 17-11.2

July 17, 1979

MEMORANDUM

TO: Mayor Keyes and Members of Council

FROM: R.J. Hamilton, C.A.O.

RE: PUBLIC UTILITIES COMMISSION
- GAS DEPARTMENT CAPITAL BUDGET 1979

We are forwarding herewith a letter from the Public Utilities Commission requesting an increase in the Capital Expenditure amount of $78,000. which is to be charged to Revenue and Accumulated Revenues of the said Gas Department in 1979.

Council will note that this does not require O.M.B. authorization or approval and as such we recommend that Council authorize this increase to meet their demands at this time.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

JUL 16 1979

P.U.C.
a hydro utility
KINGSTON

PUBLIC UTILITIES COMMISSION
OF THE CITY OF KINGSTON
PHONE 546-1181

ELECTRIC, GAS, WATER AND TRANSIT SERVICES

K. FEE, P.ENG., GENERAL MANAGER
BOWIE, C.A., SECRETARY-TREASURER

COUNTER STREET
AT LAPPAN'S LANE
P.O. BOX 790
KINGSTON, ONTARIO
K7L 4X7

1979 07 13

Mr. R. Hamilton
Chief Administrative Officer
City Hall
Kingston, Ontario
K7L 2Z3

Dear Mr. Hamilton:

Re: Gas Department Capital Budget 1979

Please refer to your letter of 1979 02 27, (File 17-11.1), advising that City Council had approved proposed Capital Expenditures for the Gas Department in 1979 be charged to Revenue and Accumulated Revenue in an amount of $115,500.

Demand for Gas Service has exceeded the forecasts this year, and at the Regular Meeting on 1979 07 12, the Commission approved an increase in the 1979 Capital Budget for the Gas Department in the sum of $78,000. to meet these requests for gas from citizens and other classes of customers.

This increase is made up as follows:

	Approved	Increase Requested	Revised Capital Budget
Consumer Services	$55,000	$50,000	$105,000
Meters Regulator & Equipment	27,000	28,000	55,000
	$82,000	$78,000	$160,000

No increase is required under the heading of Transmission & Distribution System which remains at $33,500.

We have been advised by TransCanada Pipelines Limited, our supplier, that there is adequate gas to meet these new demands.

May we have Council approval to charge these increases in Capital Expenditures amounting to $78,000. to Revenue and Accumulated Revenue.

Yours truly,

A. Bowie
Secretary Treasurer

AB:jm

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
613 546 4291

Our Ref. No. 17-2.1

July 13, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. Hamilton,
C.A.O.

RE: WATER TANK TRUCK TRADE-IN - BOARD OF WORKS

We are forwarding herewith a memorandum from Douglas R. Fluhrer requesting that the Parks & Recreation Department purchase the above mentioned vehicle which is being traded in for the purposes of watering trees, floral displays as well as for outdoor rink flooding. This vehicle would be very effective and economical as pointed out by Mr. Fluhrer as compared with hand hose flooding.

We therefore recommend that Council authorize Mr. Fluhrer to purchase this vehicle for the reasons outlined.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

MEMORANDUM

DEPARTMENT
OF
PARKS AND RECREATION

TO: R. J. Hamilton, C.A.O.

FROM: Douglas R. Fluhrer, Commissioner.

DATE: July 5, 1979.

RE: WATER TANK TRUCK TRADE-IN - BOARD OF WORKS

At this rather late date we have discovered that the Public Works Department has traded in its flusher tank truck for a new one. We, in the Parks Department, have long realized the value to our Department in having such a vehicle for the watering of new trees, floral displays and other hard to get at places with no ready water supply.

Further to this, we, through experience with the new speed skating track for the Winter Games, found that outdoor rink flooding with a tank truck is very effective and very economical compared with hand hose flooding.

The trade-in value of this truck is very low ($1,200.), and I am recommending that we buy this vehicle with available funds from our current budget (outdoor rinks) and the tree bank fund.

Your concurrence with this recommendation is solicited.

Douglas R. Fluhrer,
Commissioner.

DRF/sw

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 7-3

July 13, 1979

MEMORANDUM

TO: Mayor and Members of Council

FROM: R.J. Hamilton,
C.A.O.

RE: REQUEST FROM TOWNSHIP OF DOVER

We have received a number of requests concerning flooding and disaster problems in the last few months and Council will recall that we have given a small donation for two communities in Northern Ontario which were for substantial amounts of money. You will recall that the Province had declared a serious disaster area and were willing to contribute on the basis of three to one for these Northern Ontario communities.

In the case of the Township of Dover, the Province is matching dollar for dollar and the amount to be raised is approximately $300,000. This would mean $150,000. is to be raised by the local area governments.

I think it is imperative that we resolve this matter and offer a contribution of $100.00 as the maximum.

We therefore recommend that the City authorize Administration to forward a cheque in the amount of $100. for this purpose.

R.J. Hamilton,
C.A.O.

RJH/sd

Council - To be referred to the C. A. O.

FILE #7-3

CORPORATION OF THE TOWNSHIP OF DOVER
P.O. Box 217 515 Grand Avenue West
CHATHAM, ONTARIO N7M 5K3
(519) 354-3350

TY COUNCIL
EETING OF:
9 JUL 1979
MMUNICATION
: 368

June 28, 1979

To: All Municipalities in Ontario

Attention: Head of Council

Dear Sir or Madame:

On March 8 and 9, 1979 the river Thames overflowed its banks, and approximately 8 000 acres of the Township of Dover was severely flooded.

The flood affected nearly 100 families and left many completely homeless.

The situation was viewed by members of the Provincial Government and the entire area was declared a disaster, thereby qualifying for financial aid from the provincial disaster relief fund.

As a result, the people in the affected area submitted claim forms, for essential items amounting to nearly $300 000.00 and it is the responsibility of my Committee to raise funds which will be matched dollar for dollar by the Province to a total of $300 000.00.

To this end, I would respectfully request that you bring this matter to the attention of your council and request that consideration be given to providing financial assistance to the flood victims.

Should you require a more complete documentation of events or any other details which might prove useful in your consideration of this matter, I would be please to repond upon request.

Thanking you in advance for you consideration,

I am,

Sincerely yours,

Rex Crawford

D. G. Rex Crawford
Chairman,
Dover Flood Relief Committee

City of Kingston
RECEIVED
JUL 4 1979
DEPARTMENT OF
THE CITY CLERK

MEMORANDUM

TO:	R. J. Hamilton, C.A.O.
FROM:	W. D. Stevens, Commissioner of Industries and Airport Administrator
DATE:	July 16, 1979
SUBJECT:	Proposed Amendment No. 16 to the Official Plan for the Township of Kingston Planning Area File: Ontario Ministry of Housing 0P0-0008-16 City of Kingston 1-2.1-4 Our File A-4

ORIGIN: Letter dated June 1, 1979, from the Ontario Ministry of Housing, Plans Administration Division, together with copy of Proposed Amendment No. 16 to the Official Plan for the Township of Kingston Planning Area referred by Council Meeting No. 23 for comment, and attached hereto as Schedule "A".

ANALYSIS: Reference Page 1, Section 4. "Basis for the Amendment", Paragraph 3 of Proposed Amendment No. 16 to the Official Plan for the Township of Kingston Planning Area "..... Planning Board has deemed it advisable to amend the Official Plan in order to reflect the true status of the portion of this watercourse which lies in Lot 5, Concession I by replacing the Environmental Protection Areas designation currently applied to these lands with the land use designations which currently abut the watercourse."

At Meeting No. 16 held May 14, 1979, Council approved Report No. 51, Clause 3 as follows:

"WHEREAS the Kingston Area Planning Board resolved that approval of Official Plan Amendment No. 16 of the Township of Kingston be recommended to the Ministry of Housing, to change the designation from ENVIRONMENTAL PROTECTION AREAS

(a) for the area within the proposed subdivision, to "LOW DENSITY RESIDENTIAL"; and

(b) for the area on the Kingston Airport property, to "AIRPORT"

NOW THEREFORE BE IT RESOLVED that the City of Kingston does not object to Official Plan Amendment No. 16, but recommends that the small triangular shaped land west of the proposed north/south arterial road and adjacent to the Kingston Airport boundary be designated "AIRPORT" to be consistent with the adjacent land on the west and south boundaries of this area."

The above information is in accordance with the recommendation in a report prepared by Municipal Planning Consultants engaged by the Township of Kingston, Amendment No. 16 to the Official Plan of the Township of Kingston Planning Area, Mancora Subdivision, Draft Plan April 21, revised June 1, 1978 and September 29, 1978, and discussed at a meeting of the Township of Kingston Planning Board September 13, 1978.

SUBJECT:	Proposed Amendment No. 16 to the Official Plan for the Township of Kingston Planning Area cont'd.
ALTERNATIVE:	Leave unchanged the EPA designation on the airport land and the small triangular shaped parcel of land adjacent to the airport boundary. However, the EPA designation would be required to remain on the watercourse lands downstream in the proposed Mancora subdivision.
EXISTING POLICY:	Review all circumstances related to proposed zone changes by the Township and to assure that such changes are compatible with the designation of abutting lands and in compliance with any regulations of Transport Canada with respect to airport operations.
RECOMMENDATION:	Inasmuch as it is proposed the EPA designation will be removed from the upstream section of the watercourse and replaced with the designation "Airport" and the small triangular shaped parcel of land south of the proposed north/south arterial road is adjacent to the airport boundary on two sides, any change in designation of this downstream area should be compatible with the land use designation which currently abuts the watercourse in the upstream area. It is therefore recommended that the resolution of the Transportation Committee approved by Council May 14, 1979, as Clause 3, Report No. 51, be reaffirmed, and that the Township of Kingston and the Ministry of Housing be advised.

Respectfully submitted,

W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

Att.

Ontario
Ministry of Housing
Plans Administration Division

56 Wellesley St. West,
8th Floor
Toronto, Ontario
M7A 2K4

Council – [illegible]
Industrial Commission

FILE
#1-201-4

SCHEDULE "A"

CITY COUNCIL MEETING OF:
11 JUN 1979

COMMUNICATION
No: 319

June 1, 1979

Mr. D. Bass
Chief Administrative Officer
Township of Kingston
Postal Bag 3400
Kingston, Ontario
K7L 4Z4

Subject: Proposed Amendment No. 16 to the Official Plan for the Township of Kingston Planning Area.
Our File: OPO-0008-16.

Dear Mr. Bass:

Circulation and our evaluation of this amendment is now complete.

We have had the opportunity to review the Township's letter of May 8, 1979 in response to our letter of April 11, 1979. As it has now been determined that the quarry, affecting the northern designation change, will be phased out shortly, we have no objections to the change of designation from "environmental protection areas" to "low density residential". Nor do we have any objection to the redesignation from "environmental protection areas" to "airport".

We have, however, received recommendations from the City of Kingston and the Kingston Industrial Commission, that the small triangular shaped land south-west of the proposed north/south arterial road and adjacent to the Kingston Airport boundary be designated "airport". This would be consistent with the adjacent land on the west and south boundaries of the area. (This area has been delineated on the attached photo-copy of Schedule A).

We feel that these concerns should be resolved at the local level. We would suggest, therefore, that the Township contact the City and the Industrial Commission in order to arrive at a mutually satisfactory decision. Because of the above, we are prepared to defer this portion of the amendment at this time and approve the remainder. Should no resolution be achieved at the local level, we will be prepared to entertain a request for referral of this portion of the amendment to the Ontario Municipal Board.

....2

Mr. D. Bass (Cont'd)

By copy of this letter to the City of Kingston and the Kingston Industrial Commission, we are requesting that these parties discuss their concerns with the Township. Should either the City of Kingston or the Kingston Industrial Commission intend to pursue this matter before the Ontario Municipal Board, we would ask that a formal request be made to the Minister of Housing.

In view of the above, we would appreciate being informed how Planning Board and Council intend to proceed with this amendment. If you require any clarification, please call Mrs. Meredith Beresford at 965-6418 in Toronto.

Yours truly,

GMorris

Grant Morris
Senior Planner
Official Plans Branch

c.c. -CPAB - Ottawa

-Township of Kingston
Planning Board

-City of Kingston
Planning Board

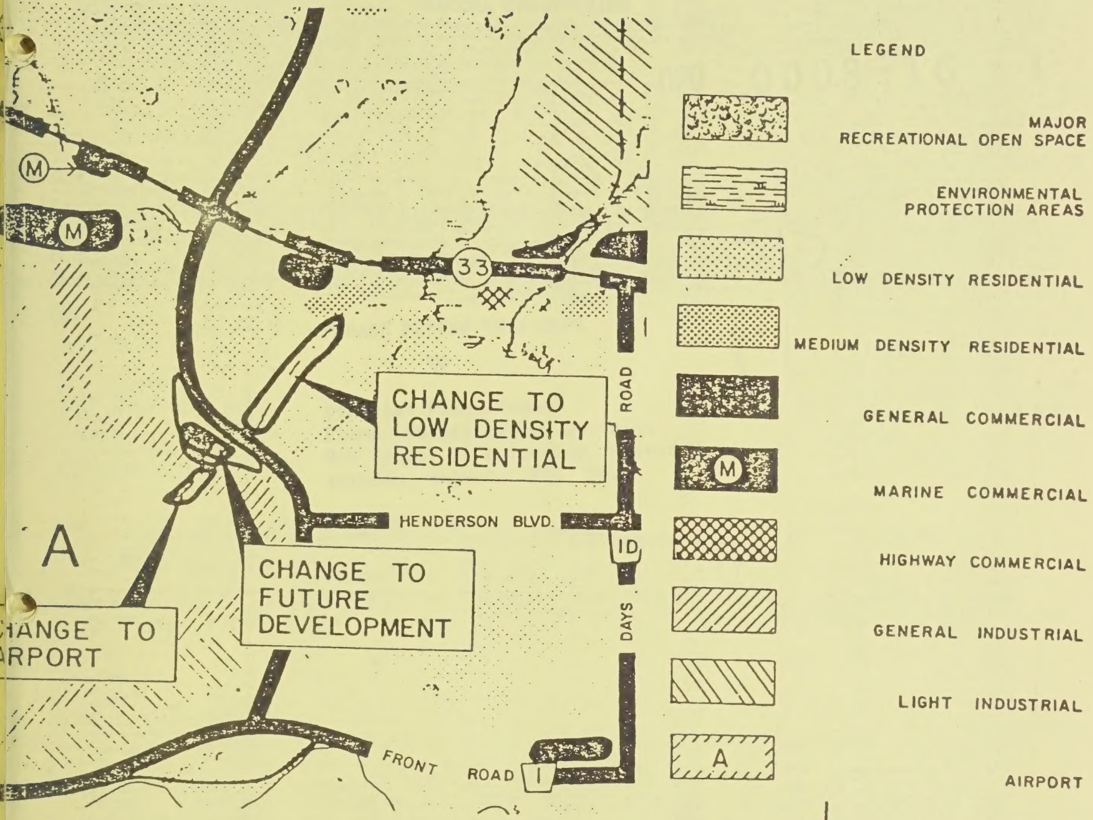
-Kingston Area Planning
Board

-Clerk - City of Kingston

-Kingston Industrial
Commission

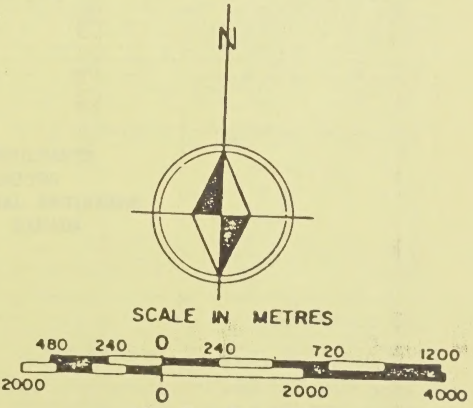
City of Kingston
RECEIVED
JUN 6 1979
DEPARTMENT OF
THE CITY CLERK

SCHEDULE "A"
TO AMENDMENT NO. 16
LAND USE AND
ROADS PLAN
OFFICIAL PLAN OF THE
TOWNSHIP OF KINGSTON
PLANNING AREA


M
M
33
CHANGE TO LOW DENSITY RESIDENTIAL
HENDERSON BLVD.
1D
DAYS ROAD
A
HANGE TO
RPORT
CHANGE TO FUTURE DEVELOPMENT
FRONT ROAD
1
LEGEND
MAJOR RECREATIONAL OPEN SPACE
ENVIRONMENTAL PROTECTION AREAS
LOW DENSITY RESIDENTIAL
MEDIUM DENSITY RESIDENTIAL
GENERAL COMMERCIAL
M
MARINE COMMERCIAL
HIGHWAY COMMERCIAL
GENERAL INDUSTRIAL
LIGHT INDUSTRIAL
A
AIRPORT

NOTE: THIS SCHEDULE FORMS PART OF AMENDMENT NO. 16 TO THE OFFICIAL PLAN OF THE TOWNSHIP OF KINGSTON PLANNING AREA AND MUST BE READ IN CONJUNCTION WITH THE WRITTEN TEXT.

NOTE: STREETS NAMES ARE INDICATED FOR INFORMATION PURPOSES ONLY AND DO NOT FORM PART OF THE OFFICIAL PLAN OR THIS AMENDMENT.


N
SCALE IN METRES
480
240
0
240
720
1200
2000
0
2000
4000
SCALE IN FEET

SEPT. 29, 1978
ed: JUNE 1, 1978
PR. 25, 1978
No. 3971-60-62

Municipal Planning Consultants

W.C.

AMENDMENT NO. 16 TO THE OFFICIAL PLAN
OF THE TOWNSHIP OF KINGSTON PLANNING AREA

MANCORA SUBDIVISION

OPO 0008-16-1

-12

PLEASE RETURN THIS COPY
TO

Official Plans Branch
Plans Administration Division
8th Floor, 56 Wellesley Street West
Toronto, Ontario M7A 2K4

MUNICIPAL PLANNING CONSULTANTS
DIVISION OF MPC LIMITED
TOWN PLANNERS PROFESSIONAL ENGINEERS
TORONTO KINGSTON CANADA

APPROVAL OF AMENDMENT

This Amendment to the Official Plan of the Township of Kingston Planning Area, which has been recommended by the Township of Kingston Planning Board and adopted by the Council of the Corporation of the Township of Kingston, is hereby approved pursuant to Sections 14 and 17 of The Planning Act, R.S.O. 1970, as amended, as Amendment No. 16 to the Official Plan of the Township of Kingston Planning Area.

MINISTRY OF HOUSING:

....
Date

AMENDMENT NO. 16 TO
THE OFFICIAL PLAN
OF THE
TOWNSHIP OF KINGSTON PLANNING AREA

The attached document, constituting Amendment No. 16 to the Official Plan of the Township of Kingston Planning Area, was prepared by the Township of Kingston Planning Board and was recommended to the Council of the Corporation of the Township of Kingston under the provisions of Section 12 of The Planning Act, R.S.O. 1970, as amended, on the .... day of ...., 197 .

TOWNSHIP OF KINGSTON PLANNING BOARD

..........J. A. Smale.......... ....Max Piribauer.........(SEAL)
Chairman Secretary

This Official Plan Amendment was adopted by the Council of the Corporation of the Township of Kingston by By-law No. .... in accordance with Sections 13 and 17 of The Planning Act, R.S.O. 1970, as amended, on the .... day of ...., 197 .

THE CORPORATION OF THE TOWNSHIP OF KINGSTON

....(SEAL)
Reeve Clerk

I hereby CERTIFY that this is the ORIGINAL/a DUPLICATE ORIGINAL of Amendment No. 16 to the Official Plan of the Township of Kingston Planning Area as adopted by By-law No. .... of the Corporation of the Township of Kingston on the .... day of ...., 197 .

....
Clerk

THE CORPORATION OF THE TOWNSHIP OF KINGSTON

BY-LAW NUMBER ________

The Council of the Corporation of the Township of Kingston, in accordance with the provisions of The Planning Act, R.S.O. 1970, as amended, hereby ENACTS as follows:

1. Amendment No. 16 to the Official Plan of the Township of Kingston Planning Area, being the attached text and Schedule "A", is hereby adopted.
2. The Clerk is hereby authorized and directed to make application to the Minister of Housing for the approval of Amendment No. 16 to the Official Plan of the Township of Kingston Planning Area.
3. This By-law shall come into force and take effect on the day of final passing hereof.

Enacted and passed this .... day of ...., A.D. 197 .

....(SEAL)
Reeve Clerk

Certified that the above is a true copy of By-law No. .... as enacted and passed by the Council of the Corporation of the Township of Kingston on the .... day of ...., 197 .

....
Clerk

AMENDMENT NO. 16 TO THE OFFICIAL PLAN
OF THE TOWNSHIP OF KINGSTON PLANNING AREA

MANCORA SUBDIVISION

DRAFT: APRIL 21, 1978
REVISED: JUNE 1, 1978
SEPTEMBER 29, 1978

TOWNSHIP OF KINGSTON PLANNING BOARD
KINGSTON · ONTARIO

AMENDMENT NO. 16 TO

THE OFFICIAL PLAN

OF THE

TOWNSHIP OF KINGSTON PLANNING AREA

The following text and map, designated Schedule "A" attached hereto, constitute Amendment No. 16 to the Official Plan of the Township of Kingston Planning Area.

Also attached hereto, but not constituting part of the Amendment is Appendix 1 which deals with the public involvement associated with this Amendment.

SCHEDULE "A"

1. TITLE

This text and attached Schedule "A" constitute Amendment No. 16 to the Official Plan of the Township of Kingston Planning Area.

2. PURPOSE

The purpose of this Amendment is to alter the land use designations on the lands shown on Schedule "A" attached hereto in order to permit the development of Low Density Residential uses in a portion of a draft plan of subdivision known locally as the Mancora Subdivision which bears Ministry of Housing File Number 10T-23737.

3. LOCATION

This Amendment applies to lands located in parts of Lot 5, Concession I, of the Township of Kingston as shown on Schedule "A" attached hereto.

4. BASIS FOR THE AMENDMENT

The lands affected by this Amendment are presently designated in part as Environmental Protection Area on Schedule "A" to the Official Plan, and were designated as such by Ministerial Modification in the context of the approval of the Official Plan on July 3, 1974. Planning Board has received a request to redesignate these lands to Low Density Residential.

In reviewing the application that resulted in the preparation of this Amendment, Planning Board has noted the assurance of the Township Engineer that the intermittently flowing ditch which constitutes the watercourse in the area can be contained in a storm sewer. It has also been noted that this sector of the Municipality is covered by flood plain mapping which does not assign flood plain status to the subject watercourse.

In view of the foregoing, Planning Board has deemed it advisable to amend the Official Plan in order to reflect the true status of the portion of this watercourse which lies in Lot 5, Concession I by replacing the Environmental Protection Areas designation currently applied to these lands with the land use designations which currently abut the watercourse. In the context of this review it was also noted that the presently proposed alignment of the North-South Arterial Road, which abuts and cuts across the Mancora lands, is such that the development of any lands between this road and the airport property for General Commercial purposes would be impractical and undesirable. Consequently the General Commercial designation is being deleted in favour of a Future Development designation.

Revised: June 1, 1978.
September 29, 1978.

5. DETAILS OF THE AMENDMENT

(1) Section 3 of the Official Plan of the Township of Kingston Planning Area is hereby amended by the addition thereto of the following new Subsection:

"(19) FUTURE DEVELOPMENT

The Future Development classification of land shall mean that the use of the land shall be for future development purposes and that any development, except for uses permitted in ALL AREAS by virtue of Subsection 20 of Section 3 hereof, shall require an Amendment to this Plan."

(2) Subsection 19 of Section 3 of the Official Plan of the Township of Kingston Planning Area is hereby renumbered as Subsection 20.

(3) Subsection 20 of Section 3 of the Official Plan of the Township of Kingston Planning Area is hereby renumbered as Subsection 21.

(4) The Land Use and Roads Plan, being Schedule "A" to the Official Plan of the Township of Kingston Planning Area, is hereby amended by designating as "Low Density Residential" the area shown on Schedule "A" attached hereto as "CHANGE TO LOW DENSITY RESIDENTIAL".

(5) The Land Use and Roads Plan, being Schedule "A" to the Official Plan of the Township of Kingston Planning Area, is hereby amended by designating as "Airport" the area shown on Schedule "A" attached hereto as "CHANGE TO AIRPORT".

(6) The Land Use and Roads Plan, being Schedule "A" to the Official Plan of the Township of Kingston Planning Area, is hereby amended by designating as "Future Development" the area shown on Schedule "A" attached hereto as "CHANGE TO FUTURE DEVELOPMENT".

6. IMPLEMENTATION

This Official Plan Amendment shall be implemented in accordance with the Implementation Policy contained in Section 6 of the Official Plan of the Township of Kingston Planning Area.

7. INTERPRETATION

This Official Plan Amendment shall be interpreted in accordance with the Interpretation Policy contained in Section 7 of the Official Plan of the Township of Kingston Planning Area.

Revised: June 1, 1978.
September 29, 1978.

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 3-6

July 19, 1979

M E M O R A N D U M

TO: Mayor Keyes and Members of Council

FROM: R.J. Hamilton,
C.A.O.

RE: NOTICE OF MOTION - ASSISTANCE TO INDOCHINESE REFUGEES

We are enclosing herewith reports from Norman C. Jackson, City Solicitor and Mr. B.G. Cousens, Treasurer, concerning the proposal to donate $10,000. for the relief of refugees from Indo-China.

Council will note from Mr. Jackson's letter that in his opinion Council have the powers to make a grant and that the resolution pertaining to this should contain the recital as suggested by Mr. Jackson. Mr. Cousens has pointed out the fact that this particular amount would indeed have to be charged to Finance Contingencies if Council so wishes to support the amount.

Council should also take note that the Federal Government has announced changes in it's approach, whereby they are willing to match dollar for dollar, efforts made by individuals and/or groups who are in fact supporting this endeavour.

It would perhaps be in the interest of Council to support the Notice of Motion but a few conditions would seem to be in order primarily to enable the City of Kingston to qualify for equal Federal Government assistance.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

JUL 19 1979

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE City Solicitor

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. L-16

MEMORANDUM

TO: Mr. R. J. Hamilton,
Chief Administrative Officer.

FROM: Norman C. Jackson,
City Solicitor.

DATE: July 19, 1979

RE: NOTICE OF MOTION - ASSISTANCE TO INDOCHINESE REFUGEES

You have asked whether the City has legal authority to provide funds concerning the above.

Under paragraph 46 of Section 352 of The Municipal Act, there was a specific provision to provide funds for disaster relief. This paragraph was, however, repealed in 1975. However, the legislature of Ontario, in the same year, 1975, enacted an amendment to The Municipal Act giving the municipality a very general power to make grants. This section of The Municipal Act, 248(a), states that:

> "notwithstanding any special provisions in this Act, or in any other general Act or special Act, the Council of every municipality may, subject to Section 248, make grants on such terms and conditions as to the security and otherwise as the council may consider expedient, to any person, institution, association, group or body of any kind, including a fund within or outside the boundaries of the municipality, for any purpose that, in the opinion of the council, is in the interest of the municipality."

The subject provision, Section 248, does not allow the granting of bonuses in aid of any manufacturing, industrial, or commercial enterprise, but otherwise the council has the

........./2

---

complete jurisdiction to determine to whom it may make a grant, the terms upon which the grant may be made, and there is explicitly stated to be no limitation on whether the group must reside within or outside the boundaries of the municipality.

Accordingly, should City Council deem it expedient to make a grant to a group of Indochinese Refugees, as long as Council also, in its opinion, considers that the grant is in the interest of this municipality, then City Council does have the legal authority to provide funds as set out in the Notice of Motion.

I would suggest that the Notice of Motion be slightly amended to provide any terms and conditions that Council may consider expedient, and also the Notice of Motion should contain a reference that, in the opinion of Council, such a grant is in the interest of this municipality. The resolution could contain a recital that the grant is being made pursuant to Section 248(a) of The Municipal Act, R.S.O. 1970, Chapter 284.

NCJ:dg

Norman C. Jackson,
City Solicitor.

c.c. to: Mrs. Marion Houghton,
Acting City Clerk (Pro Tempore);

Mr. Bernard Cousens,
City Treasurer

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE City Treasurer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

July 16, 1979

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: B. G. Cousens,
City Treasurer

RE: Refugees from Indo-China

In reply to a memorandum dated July 11th from Mrs. Houghton concerning the Notice of Motion that a donation of $10,000.00 be made by the city for the relief of refugees from Indo-China, I wish to advise that if the Notice of Motion is approved, it would be necessary to transfer this money from Finance Contingencies. At the moment Finance Contingencies will have a balance of $136,740. after allowing for transfers for wage increases for local 109, fire and police.

BGC/jt

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 7-3

July 20, 1979

MEMORANDUM

TO: Mayor Keyes & Members of Council

FROM: R.J. Hamilton,
C.A.O.

RE: GRANT - ONTARIO HOCKEY ASSOCIATION

A request has been received from Mr. Paul D. Hoag, Director of the Ontario Hockey Association for a grant to assist with the hosting of the Summer Semi-Annual Executive meetings being held in Kingston on August 10, 1979.

I have discussed this matter with Mayor Keyes and would therefore recommend the amount of $200.00 be granted to this organization to provide for a Continental Breakfast for approximately forty guests.

R.J. Hamilton,
C.A.O.

RJH/sd

Mayor Ken Keyes

CORPORATION OF THE CITY OF KINGSTON

M	DEPT. OF ORIGINATOR	DATE	
R.J. Hamilton	C.A.O.	July 17, 1979	

CT Ontario Hockey Association

RE:

We have reviewed the letter from Paul D. Hoag and it would seem to me that the $400. request is a bit beyond our normal approach to these matters. I would think perhaps if Council awarded a value of up to $200. in this instance it would seem to be more appropriate.

We would therefore recommend that Council so authorize the above figure of $200.00.

R.J. Hamilton,
C.A.O.

I'll speak to Paul Hoag & suggest the $200 which we would recommend to Council for Monday night. I would also ask for the specific unction towards which this donation might be directed

* Provision for a Continental Breakfast for 40 guests

SIGNATURE	DEPARTMENT	DATE OF REPLY
Ken		

SI-EI A

ER: RETAIN PART 2 REPLIER: RETURN LAST PART ▶ USE STANDARD No. 9 OR 10 WINDOW ENVELOPE.

ONTARIO HOCKEY ASSOCIATION

President:
LARRY BELLISLE
PENETANG

Immediate Past President:
HUGH McLEAN
LONDON

First Vice President:
WILLIAM RUDDOCK
TORONTO

Second Vice President:
PAT DOHERTY
KITCHENER

Third Vice President:
JIM KING
GUELPH

Executive Committee:
BOB MacKINNON
OAKVILLE

H.L. "BUD" MILLER
CALEDONIA

HOWIE STEVENSON
LAKEFIELD

DANNY POLAND
BRACEBRIDGE

DON BROOKER
DRESDEN

LARRY CLARK
TORONTO

PAUL HOAG
KINGSTON

DAVID BESSE
WATFORD

KEN DUNLOP
PORT ELGIN

PHIL VITALE
PRES. M.T.H.L.

CARLO CATTERELLO
PRES. N.O.H.A.

AL MOORE
PRES. O.M.H.A.

Secretary-Manager
BRENT LADDS
24 MERTON ST.
TORONTO, ONT.
M4S 1A2
PHONE: 487-8129

July 4, 1979

Mr. Ken Keyes, Mayor
City of Kingston
City Hall
Kingston, Ontario

Dear Mr. Keyes:

For the first time in the 90 year history of the Ontario Hockey Association, Kingston will serve as host for the Summer Semi-Annual Executive meetings.

On August 10/79, executive members and their wives from across the province will converge on the city for a weekend of meetings and relaxation.

As an executive member of the OHA and co-ordinator of the activities in August, I am writing this letter to solicit the city's support in making this August weekend a memorable event.

It would be much appreciated if the City of Kingston could donate $400. to be utilized for a hospitality event during the weekend. As co-ordinator, I will ensure any monies received will be channeled into a hospitality function where maximum exposure can be attained for the city. Naturally, representation from your office would be appreciated.

The OHA is a non-profit organization, serving as the administrative body for all amateur hockey in the Province of Ontario including Kingston's "Kingston Minor Hockey Assc." and "Church Athletic League".

I think it rather appropriate, that Kingston, recognized as the birthplace of hockey, should have the opportunity to host this event.

As many participants in this weekend have never been to Kingston, the city's involvement may aid in producing future dividends as it pertains to our tourist industry.

Please accept in advance, my sincere thanks for your anticipated co-operation.

Yours truly,
Ontario Hockey Association

Paul Hoag

Paul D. Hoag
Director

PDH:jd

ANNUAL MEETING APRIL 28, 1979

Paul Hoag
DIRECTOR

(613) 389-8035

974 Amberdale Cres.
Kingston, Ontario
K7M 6V3

546-0414

ONTARIO HOCKEY ASSOCIATION

MEMORANDUM

TO: R. J. Hamilton, C.A.O.

FROM: W. D. Stevens, Commissioner of Industries
and Airport Administrator

DATE: July 16, 1979

SUBJECT: AIRPORT - Lease - Land Improvement Program
- CORRECTIONAL SERVICE OF CANADA
Frontenac Institution
- Our File No. A-4
- City Solicitor's File No. L-116

ORIGIN: Request from Frontenac Institution, Agriculatural Operations, regarding the possibility of airport land being available for forage cropping.

ANALYSIS: The agricultural operations of the Lessee will include plowing, cultivation, fertilization and improving the general condition of the land for crop production, cutting of grass and weeds, etc. from accessible areas. It is proposed that land-start be summer fallow this year, for planting and seeding in 1980.

The proposed term of lease is from June 1, 1979, to May 31, 1981. Attached as Schedule "A" is a copy of the proposed lease agreement with Correctional Service of Canada, Frontenac Institution, which has been prepared by the City Solicitor.

EXISTING POLICY: Since 1975 and until May of this year, when a Surrender of Lease was granted by Council to Mr. William Craig Coupland, 500 acres of airport land had been under lease for agricultural purposes.

NOTE: Report No. 57, Clause 15 approved Surrender of Lease Agreement by Wm. Craig Coupland for agricultural use of airport land, inasmuch as terms of the agreement were not fulfilled.

FINANCIAL CONSIDERATIONS: The proposed lease rate of $2,000.00 and Provincial Farm Tax Rebate (whereby approximately 50% of the realty tax is refunded so long as the land is used for agricultural purposes) will return to the City the realty tax assigned to this 500 acre parcel of airport land.

RECOMMENDATION: That an agreement with Correctional Service of Canada, Frontenac Institution, to lease 500 acres of airport land for agricultural purposes commencing June 1, 1979, for a period of two years and a land use charge of $2,000.00, be approved.

Respectfully submitted,

W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

Att.

SCHEDULE "A"

THIS AGREEMENT MADE the 19th day of July, 1979.

BETWEEN:

THE CORPORATION OF THE CITY OF KINGSTON
(hereinafter called the "Lessor")
OF THE FIRST PART

- and -

CORRECTIONAL SERVICE OF CANADA
FRONTENAC INSTITUTION
(hereinafter called the "Lessee")
OF THE SECOND PART

WITNESSETH that the Lessor, in consideration of the rents, covenants, provisos and conditions hereinafter reserved and contained, hath demised and leased, and by these presents doth demise and lease unto the Lessee:

ALL AND SINGULAR that certain parcel of land (hereinafter referred to as "the said land") consisting of approximately Five Hundred Acres (500) situate, lying and being in the Province of Ontario, in the County of Frontenac, being Part of Lots 2, 3, 4 and 5, Concession I, in the Township of Kingston as designated tillable from time to time and within the area shown outlined in red on the sketch attached hereto as Schedule "A", for agricultural use. Agricultural operations cannot take place within 100 feet of the edge of the runway, and 300 feet of the end of the runway except in areas authorized by the Airport Administrator. For purposes of this agreement, the centreline shall extend 300 feet beyond each end of the runways.

IT IS HEREBY AGREED BETWEEN THE PARTIES AS FOLLOWS:

......./2

1. That the term of this lease shall be for a period of two (2) years, commencing the first day of June, 1979, and during the first year of this lease the Lessee will cut the weeds, grass, etc. from all accessible areas and undertake land cultivation in preparation for crop production in 1980.

2. That from June 1, 1979 to May 31, 1981, the Lessee shall be entitled to all crops obtained from the said land.

3. That, commencing June 1, 1980, and until the expiry of the term of this lease:

(a) The Lessee shall pay to the Lessor a land use charge in the amount of Two Thousand Dollars ($2,000.00) for the period from June 1, 1979 to May 31, 1981, payable on June 1, 1980.

4. That the Lessee shall establish a plan of land cultivation and crop rotation for the said land, acceptable to the Airport Administrator.

5. That the areas for cultivation shall be mutually agreed upon by the Airport Administrator and the Lessee.

6. That the Lessee shall, in all respects, abide by and comply with all lawful rules, regulations and by-laws of the municipalities and other governing bodies in any manner affecting the said land and right and privilege.

7. That the Lessee shall not make any assignment of these Presents, nor any transfer or sub-lease of any of the said lands, rights, or privileges demised or leased hereunder, without obtaining the consent in writing of the Lessor to such assignment, transfer or sub-lease.

/3

8. That the Lessor, its servants or agents, shall, at all times and for all purposes, have full and free access to any any every part of the said land.

9. That the said land shall be used for agricultural purposes only and for no other purpose or purposes whatever.

10. That the Lessee shall not have any claim or demand against the Lessor for accident, detriment, damage, injury or loss of any nature whatsoever or howsoever caused to any person or property, including any crop, motor or other vehicles, farm implements, materials, supplies, articles, effects or things at any time brought, placed, made or being on or about the said land, unless such damage or injury is due to the negligence of any officer of the Lessor while acting within the scope of his duties or employment.

11. That the Lessee shall not, during the currency of this lease, do, suffer or permit to be done any act or thing, that may impair, damage or injure the said land, and shall, at his own cost and expense, well and sufficiently repair, maintain and keep in good and substantial repair the said land and all fixtures and things thereto belonging, or which at any time during the said term shall be erected or made by the Lessor or the Lessee, all to the satisfaction of the Lessor.

12. That the said land or any part thereof shall not be used for grazing purposes.

13. That no buildings or structures whatever, including stacked hay, shall be erected by the Lessee on the said land, and no crops, machinery or equipment shall be left in such a manner as to be hazardous to aircraft in any way.

14. That the Lessee shall, at all times during the term hereof, cultivate, use and manage in a proper husbandlike manner, including fertilization, the said land, and shall use his best endeavour and approved method of husbandry to prevent soil drifting and to prevent the growth of, and to exterminate, all noxious weeds on the said lands.

15. That the Lessee shall not construct, erect, place or install on the said land any poster, advertising sign or display, without first obtaining the consent, in writing, of the Lessor.

16. That if at any time or times during the currency of this lease, any damage or injury should be occasioned to the said land from any cause whatsoever, or to any other works or property of the Lessor, at Norman Rogers Airport, by reason of or on account of the operations of the Lessee, or any action taken or things done or maintained by virtue thereof then, and in every such case, the Lessee shall, immediately upon notice thereof from the Lessor, given either verbally or in writing, repair, rebuild and restore the same to the entire satisfaction of the Lessor, or the Lessor may, at his option, repair such damage or injury, in which case the Lessee shall, upon demand, forthwith repay and reimburse the Lessor for all costs and expenses connected therewith or incidental thereto.

17. The cultivation on the said land shall be carried out in such a manner as not to interfere with the operation of the Underground Cables and Utility Poles and the Lessor, its servants or agents, shall at all times have full and free access to the said Approach Lighting System for maintenance purposes.

and save harmless the Lessor from and against all claims and demands, loss, costs, damages, actions, suits or other proceedings by whomsoever made, brought or prosecuted, in any manner based upon, occasioned by or attributable to the execution of these Presents, or any action taken or things done or maintained by virtue hereof, or the exercise in any manner of rights arising hereunder.

19. That notwithstanding anything in this lease contained, if the land use charge above reserved, or any part thereof, shall be in arrear, or unpaid whether or not the same shall have been in any manner demanded, or in case default, breach or non-observance is not cured within fifteen days from the date of notice in writing thereof from the Lessor to the Lessee, the Lessor may terminate this lease by giving to the Lessee thirty days' notice in writing, and either delivered to the Lessee or any officer of the Lessee, or mailed addressed to the last known place of business or office of the Lessee, and thereupon, after the expiration of such period of notification, this lease shall be terminated and ended.

20. That, notwithstanding anything in this lease contained, if the land use charge above reserved or any part thereof, shall be in arrear, or unpaid for thirty days next after any of the days or times hereinbefore appointed for the payment thereof, whether or not the same shall have been in any manner demanded or in case default, breach or non-observance be made or suffered by the Lessee at any time or times, in, or in respect of any of the covenants, provisos, conditions and reservations herein contained, which on the part of the Lessee ought to be observed or performed, then, and in every such case it shall be lawful for the Lessor, its servants or agents, to re-enter and thereafter to have, possess and enjoy the said land and all improvements thereon.

And no acceptance of rent subsequent to any breach or default, other than non-payment of rent, nor any condoning, excusing or overlooking by the Lessor on previous occasions of breaches, or defaults similar to that for which re-entry is made shall be taken to operate as a waiver of this condition.

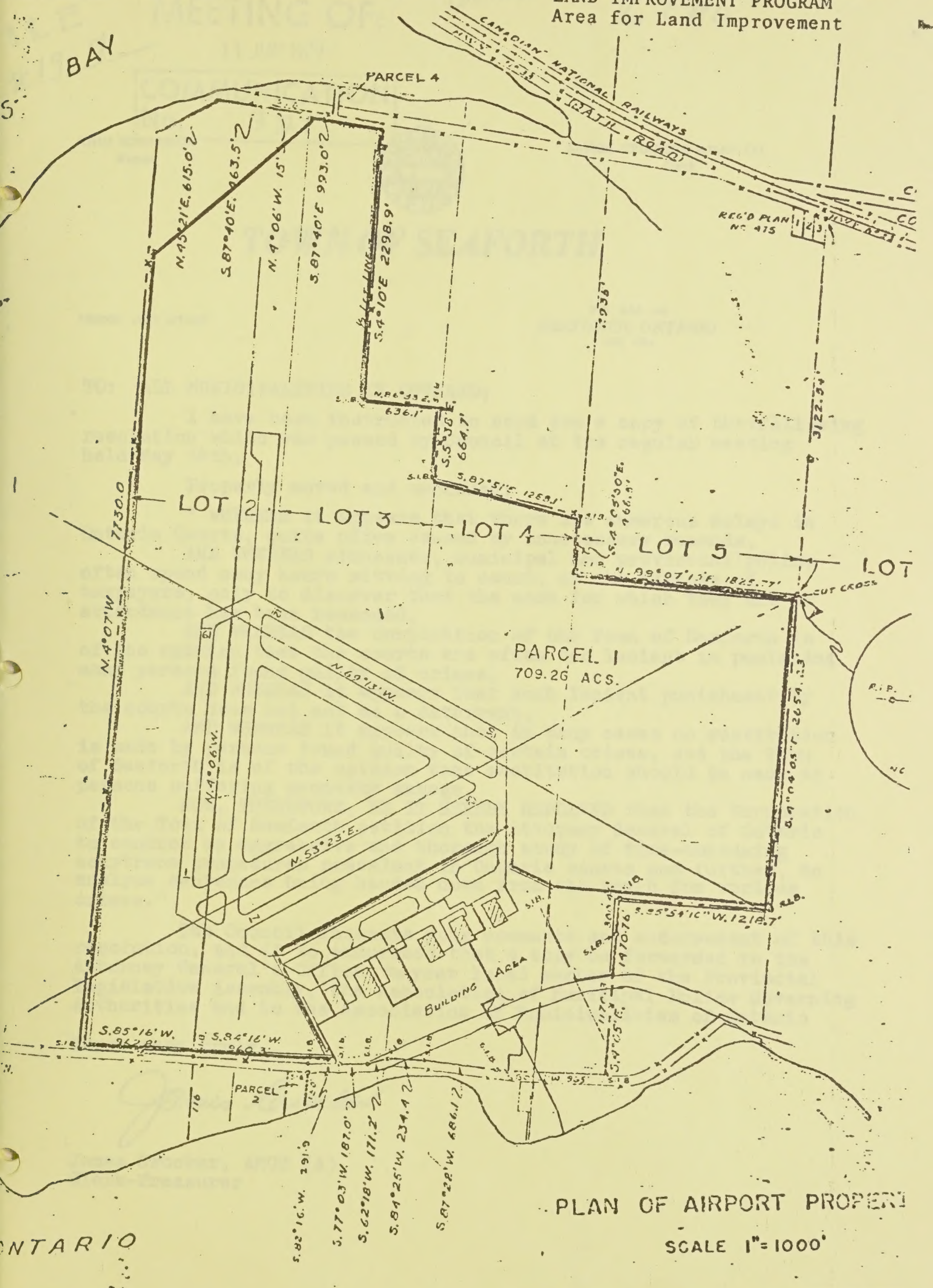
21. That, should the Lessee wish to renew this lease at the end of the two years, he shall notify the Lessor in writing of such intention by December 31, 1980. The Lessor agrees to give the Lessee the first right of refusal for a new lease of five years; terms of the new lease to be negotiated

22. That, upon termination of this agreement and any extension thereof, the said land will be left in good condition and seeded with hay or suitable grass in specific areas, to the satisfaction of the Airport Administrator.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals.

SIGNED, SEALED AND DELIVERED) THE CORPORATION OF THE CITY OF KINGSTON
)
) ____________________
) Mayor
) ____________________
City Clerk
)
)
CORRECTIONAL SERVICE OF CANADA
) FRONTENAC INSTITUTION
) ____________________
)
____
)

NORMAN ROGERS AIRPORT, Kingston
LAND IMPROVEMENT PROGRAM
Area for Land Improvement


BAY
CANADIAN NATIONAL RAILWAYS
(RAIL ROAD)
PARCEL 4
N.45°21'E. 615.0'
S.87°40'E. 963.5'
N.4°06'W. 15'
S.87°40'E. 993.0'
S.4°10'E 2298.9'
N.86°33'E. 316
636.1'
S.5°38'E. 664.7'
S.87°51'E. 1258.1'
S.4°05'30"E. 266.9'
N.89°07'15"E. 1825.77'
REG'D PLAN NO. 475
3122.34'
7730.0
N.4°07'W.
LOT 2
LOT 3
LOT 4
LOT 5
LOT
CUT CROSS
PARCEL 1
709.26 ACS.
N.69°13'W.
N.4°06'W.
N.53°23'E.
S.4°04'0.5"E. 2654.13'
S.85°54'10"W. 1218.7'
BUILDING AREA
1470.76
S.4°0.5'E.
S.85°16'W. 962.8'
S.84°16'W. 960.3'
PARCEL 2
S.82°16'W. 291.9
S.77°03'W. 187.0'
S.62°18'W. 171.2'
S.84°25'W. 234.4
S.87°28'W. 486.1
W. 955'
ONTARIO
PLAN OF AIRPORT PROPERT
SCALE 1"=1000'

CITY COUNCIL
MEETING OF:
11 JUN 1979

Council - To be referred to the C.A.O.

LE
#19-7

COMMUNICATION
No: 321

JOHN SINNAMON
Mayor

JAMES CROCKER A.M.C.T. (A)
Clerk

TOWN OF SEAFORTH

PHONE: (519) 527-0160

P.O. BOX 610
SEAFORTH, ONTARIO
N0K 1W0

TO: ALL MUNICIPALITIES IN ONTARIO;

I have been instructed to send you a copy of the following resolution which was passed by Council at its regular meeting held May 14th.

Properly moved and seconded;

" WHEREAS it appears that there are numerous delays in Ontario Courts, quite often caused by unnecessary remands,

AND WHEREAS witnesses, municipal and provincial police often spend many hours sitting in court, at the expense of taxpayers, only to discover that the case for which they are in attendance has been remanded,

AND WHEREAS the Corporation of the Town of Seaforth is of the opinion that the courts are often too lenient in punishing many persons found guilty of crimes,

AND WHEREAS it appears that such lenient punishment by the courts does not act as a deterrent,

AND WHEREAS it appears that in many cases no restitution is made by persons found guilty of certain crimes, and the Town of Seaforth is of the opinion that restitution should be made to persons suffering property damage,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Corporation of the Town of Seaforth petition the Attorney General of Ontario to conduct an aggressive and thorough study of time-consuming courtroom procedures prevalent in Ontario courts and further, to analyse sentences being handed down from the bench for various crimes."

The Council requests your comments and endorsement of this resolution, and if so endoresed that a copy be forwarded to the Attorney General's Office, to your local member of the Provincial Legislative Assembly, the Association of Municipal Police Governing Authorities and to the Association of Municipalities of Ontario

Yours very truly,

James Crocker

James Crocker, AMCT (A)
Clerk-Treasurer

City of Kingston
ECEIVED
JUN 6 1979
EPARTMENT OF

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 19-7

July 19, 1979

MEMORANDUM

TO: Mayor Ken Keyes & Members of Council

FROM: R.J. Hamilton,
C.A.O.

RE: Resolution of the Town of Seaforth
Study of Courtroom Procedures

We recommend that Council not endorse this said resolution as per the comments from Mr. Norman C. Jackson, City Solicitor attached hereto.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

JUL 19 1979

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
City Solicitor
Our Ref. No. L-16

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

MEMORANDUM

TO: Mr. R.J. Hamilton,
Chief Administrative Officer

FROM: Mr. Norman C. Jackson,
City Solicitor

DATE: July 19, 1979

RE: Resolution of the Town of Seaforth
Study of Courtroom Procedures

Respecting the above, at your request, I would comment as follows.

I agree with the resolution insofar as it states that court procedures are time consuming and insofar as it states that restitution should be made to persons suffering property damage. I do not agree with the resolution where it states that delays in courtroom procedure are caused by unnecessary remands. Adjournments are made by the bench after hearing the reasons therefore from both the prosecution and the defence. Remands are often made in the best interests of giving the accused a fair trial. I also do not agree that courts are necessarily too lenient in dealing with punishment. Before such a broad statement could be agreed with, there would have to be a survey done. Even with a survey, I believe each case has its own unique set of circumstances and it is therefore difficult to state generally that courts are often too lenient in punishing those guilty of crimes.

The resolution calls for a petition to the Attorney General to study time consuming courtroom procedures. I would point out that the Attorney General has been responsible for putting forth a bill to the Legislature, entitled An Act to Establish a Code of Procedure for Provincial Offences. The intent of this Act, Bill 74, which has been given third reading but which is not yet in full force and effect, is to provide a more expeditious manner of dealing with minor offences, and included in this group will be municipal by-law offences. Delays in the court now are, in the minds of the province, caused as much by the large number of minor offences, such as traffic offences, which are necessarily processed by the courts.

This Bill, a copy of which is enclosed, should act to speed up the processing of minor offences, thereby allowing the court system more time to deal with more serious offences.

Norman C. Jackson,
City Solicitor

NCJ/ks
Enclosure

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 21-4.11

July 20, 1979

MEMORANDUM

TO: Mayor Keyes & Members of Council

FROM: R.J. Hamilton,
C.A.O.

RE: PROPOSED AMENDMENT NO. 14 to the Official Plan for the Township of Kingston Planning Area

---

We are forwarding herewith various correspondence concerning this matter as set out by Mr. Stevens for Council's background.

City Council conditionally approved the location of the North-South Arterial Road subject to Transport Canada at a Council Meeting of February 26, 1979 which is attached. In addition, the City received a letter from Transport Canada which is attached, to indicate that it was their position not to approve this road through airport lands without due consideration and appropriate justification.

We therefore draw to City Council's attention the fact that Mr. Stevens, in his report, is suggesting that we file an objection to Amendment No. 14. However, it would seem to be a better approach to notify the Minister of Housing of the fact that Transport Canada have not approved of the earlier action by City Council without using the objection process as suggested by Mr. Stevens.

We would therefore suggest that a letter be forwarded to the Minister of Housing outlining the City's position at this time which is of course subject to action by Transport Canada.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer

FROM: W. D. Stevens, Commissioner of Industries and Airport Administrator

DATE: July 16, 1979

SUBJECT: Proposed Amendment No. 14 to the Official Plan for the Township of Kingston Planning Area
File: Ontario Ministry of Housing 0P0-008-14
City of Kingston 1-2.1-4
Our File A-4

ORIGIN: Letter dated June 26, 1979, from the Ontario Ministry of Housing, Plans Administration Division, together with Proposed Amendment No. 14 to the Official Plan for the Township of Kingston Planning Area referred by Council Meeting No. 28 for comment, and attached hereto as Schedule "A".

ANALYSIS: A review of the text "Amendment No. 14" and Schedule "A" "Land Use and Roads Plan" insofar as these documents relate to the airport land and the location of the proposed north/south arterial road between the Front Road and Highway No. 33, points out the need for additional information to define clearly the proposed road location east of the airport.

Clause 5 "Details of the Amendment", item (1) "General", page (3) revised December 21, 1978 first paragraph, refers to the location of the proposed two-lane arterial road as being east of the airport, while Schedule "A", revised December 21, 1978, does not include a revision or reflect any change in the location of the north/south arterial road, with respect to crossing the airport, as shown on previous plans. This uncertainty should be removed.

It is further noted that should the road be allowed to cross airport land, any restriction affecting development of the airport to meet the unknown demands of the future or the installation of air navigational aids, instrument landing system (ILS), will be reflected in the airport operating license which is issued by Transport Canada on an annual basis.

ALTERNATIVES:

(a) Not extend the proposed north/south arterial road south of Highway No. 33; and

(b) Relocate that portion of the proposed north/south arterial road outside and around the northeast corner of the airport to intersect with Henderson Blvd.

EXISTING POLICY: It is required by Transport Canada that any proposed use of airport land be referred to the appropriate Branch for approval. Any use that would result in the reduction of airport boundaries, particularly in those areas considered critical with respect to Civil Aviation and Air Regulation requirements, are discouraged. The repeated requests to Transport Canada concerning the north/south arterial road crossing under the approach path to Runway 24L

TO: R. J. Hamilton, C.A.O. July 16, 1979

SUBJECT: Proposed Amendment No. 14 to the Official Plan for the Township of Kingston Planning Area cont'd.

FINANCIAL CONSIDERATIONS: There is no cost involved to the City, but the request for clarification of the point of concern in the proposed Amendment No. 14. However, the availability of the airport facility and its capability to meet the needs of the community will be reflected in the economy of the City and the Greater Kingston area.

RECOMMENDATION: That Council file an objection to Amendment No. 14 to the Official Plan of the Township of Kingston Planning Area and request that the Official Plan of the Township of Kingston be revised with sufficient detail to ensure there can be no misunderstanding regarding the location of the north/south arterial road east of the airport.

NOTE: The Ministry of Housing have requested that any comment be sent within 30 days from June 26, 1979.

Respectfully submitted,

W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

Att.

Transport Canada Transports Canada

Airports & Properties Branch
4900 Yonge Street
Willowdale, Ontario
M2N 6A5

Your file Votre référence

Our File Notre référence 5151-161
(OAOP)

April 27, 1979

Mr. R. J. Hamilton,
Chief Administration Officer,
Corporation of the City of Kingston,
City Hall,
Kingston, Ontario,
K7L 2Z3.

Dear Mr. Hamilton:

Re: Proposed Arterial Road, Kingston Airport

This refers to the letter of 28 February, 1979, in which your predecessor, Mr. T. J. McKibbon, requested confirmation of whether or not the location of the proposed road in the north-east corner of the airport property is acceptable to Transport Canada.

Existing land use north-east and east of the airport indicate that these lands have been zoned as residential. Therefore, a potential number of residential lots will, (to some degree), be affected by aircraft noise; This will be particularly so should the east-west runway 06L-24R be extended easterly to 4000 feet in length. As such it would be unsound planning practice to allow construction of an arterial road if the main intent of this road is to serve residential development in close proximity to the airport.

Had land use in this area been zoned industrial/commercial, then this office would have a favourable argument in approaching the Federal Treasury Board Land Management Committee to seek an Order in Council amending the existing Letters Patent granted to the Corporation of the City of Kingston.

The Grant was to the Corporation, as grantee, for so long as the said lands are continuously used as an airport. If this road does not serve the original purpose of the Grant, then, to allow such a use could be a violation of the terms of the original conveyance and present a problem.

To this end, it is Transport Canada's position not to approve construction of the arterial road through airport lands without due consideration and appropriate justification.

Yours truly,

S. E. Livingston
Regional Manager
Airports & Properties.

KINGSTON INDUSTRIAL COMMISSION

CITY HALL, KINGSTON, ONTARIO, CANADA
K7L 2Z3

W. DAVID STEVENS
Commissioner of Industries

(613) 546-4291 and 546-1232

July 13, 1979

DELIVERED BY HAND

Mr. D. A. Gordon, Clerk
Township of Kingston
Postal Bag 3400
Kingston, Ontario
K7L 4Z4

Re: Township of Kingston By-Law 79-52

Dear Mr. Gordon:

We acknowledge with thanks receipt of a copy of Township of Kingston Notice of Application to the Ontario Municipal Board for approval of subject by-law.

While a couple of questions have been raised concerning the proposed by-law, these questions relate only to the portion of the by-law affecting airport lands as shown on Schedule "A-1" to By-Law No. 79-52.

First, we wish to point out that the intent of the by-law to zone all airport land "AP" in accordance with the decision of the Ontario Municipal Board is not being questioned. However, it is important, in order to avoid any misunderstanding concerning the areas to which the zone changes apply, that these areas be clearly defined. To this end, the following comment is provided:

(a) Additional information is required in order to transfer with reasonable accuracy the boundaries of the lands shown in area "D", identified by caption 'Zone Change to "AP"', to a survey drawing of the airport and adjacent lands.

(b) There appears to be a discrepancy in the airport boundaries at the entrance to the airport from Old Front Road, as shown and noted on the attached sketch.

These concerns have been discussed with Mr. H. J. Morris, M.C.I.P., Planner, Township of Kingston Planning Department, and we expect the requested information will be forthcoming.

. . . . /2

In view of the date July 17, 1979, being the final day for receipt of objections to proposed By-Law 79-52, we have no alternative to register an objection as follows:

Until such time as the requested information is provided to satisfactorily remove the foregoing concerns, we object to the approval of the Township of Kingston proposed By-Law 79-52.

As requested, we further advise that if a hearing is held, the objector or agent will attend the hearing.

If the aforementioned concerns can be resolved, there will be no hesitation is having our objection withdrawn.

Yours very truly,

W. D. Stevens

W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

WDS/c

Att.

c.c. R. J. Hamilton, Chief Administrative Officer
G. G. Muirhead, Director of Planning & Urban Renewal
City of Kingston Planning Board, and
Secretary-Treasurer, Kingston Area Planning Board

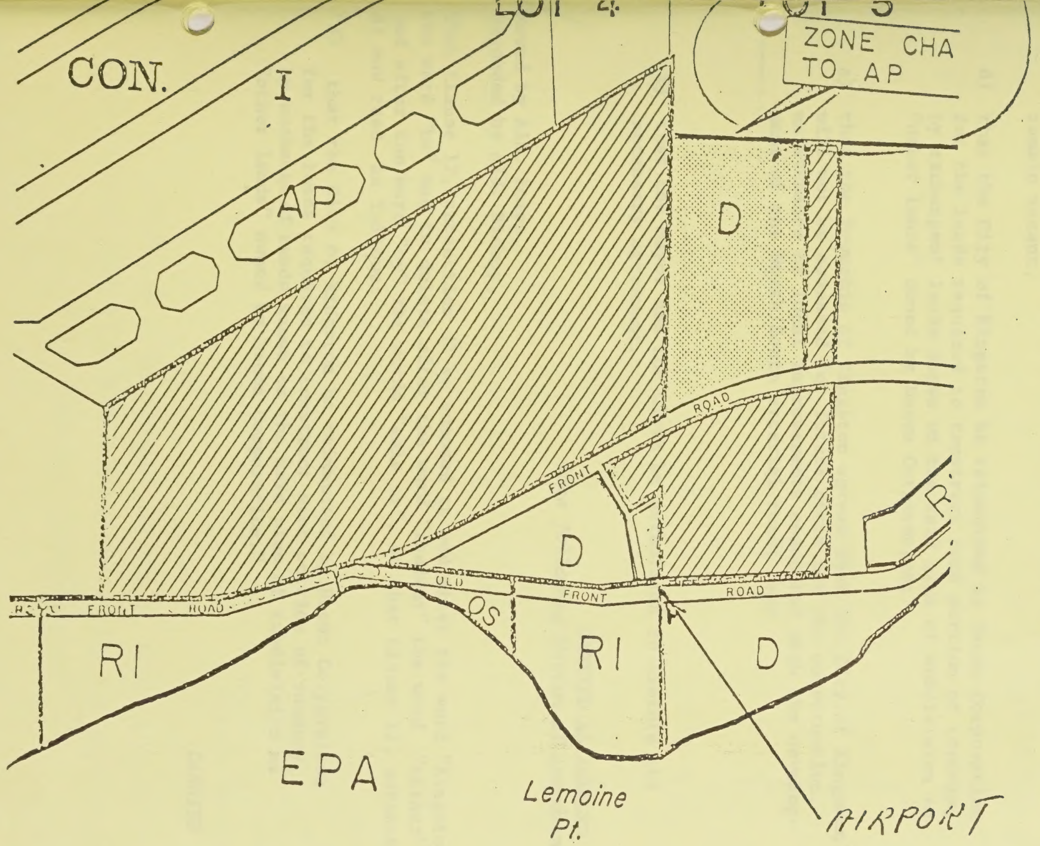
SCHEDULE "L", REPORT NO. 78, Page 7

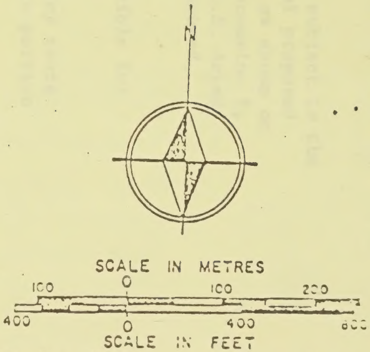
PARTS OF LOT 4 & 5, CON.
TOWNSHIP OF KINGSTON

THIS IS SCHEDULE "A-1"
TO BY-LAW NO. 79-52 PASSED
THE 6th DAY OF June 1979.

REEVE

(Seal) CLERK


LOT 4
LOT 5
ZONE CHA
TO AP
CON.
I
AP
D
FRONT
ROAD
D
OLD
FRONT
ROAD
OS
RI
D
R
FRONT
ROAD
RI
EPA
Lemoine
Pt.
AIRPORT


N
SCALE IN METRES
100
0
100
200
400
0
400
800
SCALE IN FEET

LEGEND

▨ ZONE CHANGE TO AP

DRAFTED : MARCH 7, 1979
DWG. NO. 3971-ZBL-1-82

N/S art. Rd.

REPORTS (Cont'd)

Report No. 27 - Finance & Accounts (Cont'd)

12. That, as recommended by the Transportation Committee, subject to the approval of the Department of Transport, the portion of proposed roadway on the North East Corner of airport property, as shown on draft plan of proposed subdivision, Part of Lot 5, Concession I, Township of Kingston, prepared by Smith and Smith, O.L.S. dated March 15, 1978, submitted by Dacon Corporation, be approved, subject to the following conditions:

a) that Dacon Corporation be held financially responsible for construction of such portion of roadway;

b) that the City of Kingston not be held liable for any costs incurred in the construction or maintenance of such portion of roadway;

c) that the small traingular-shaped landlocked portion of land resulting from the construction of such portion of roadway remain vacant;

d) that the City of Kingston be reimbursed by Dacon Corporation for the lands required to construct such portion of roadway, by exchangeof lands known on the said plan of subdivision as "other lands" owned by Dacon Corporation;

e) that the Township of Kingston agrees that the City of Kingston will not be assessed for future costs for the construction, maintenance or local improvements connected with the development of the North/South arterial road; and

f) that the Mayor and the Clerk be authorized to execute the necessary agreement.

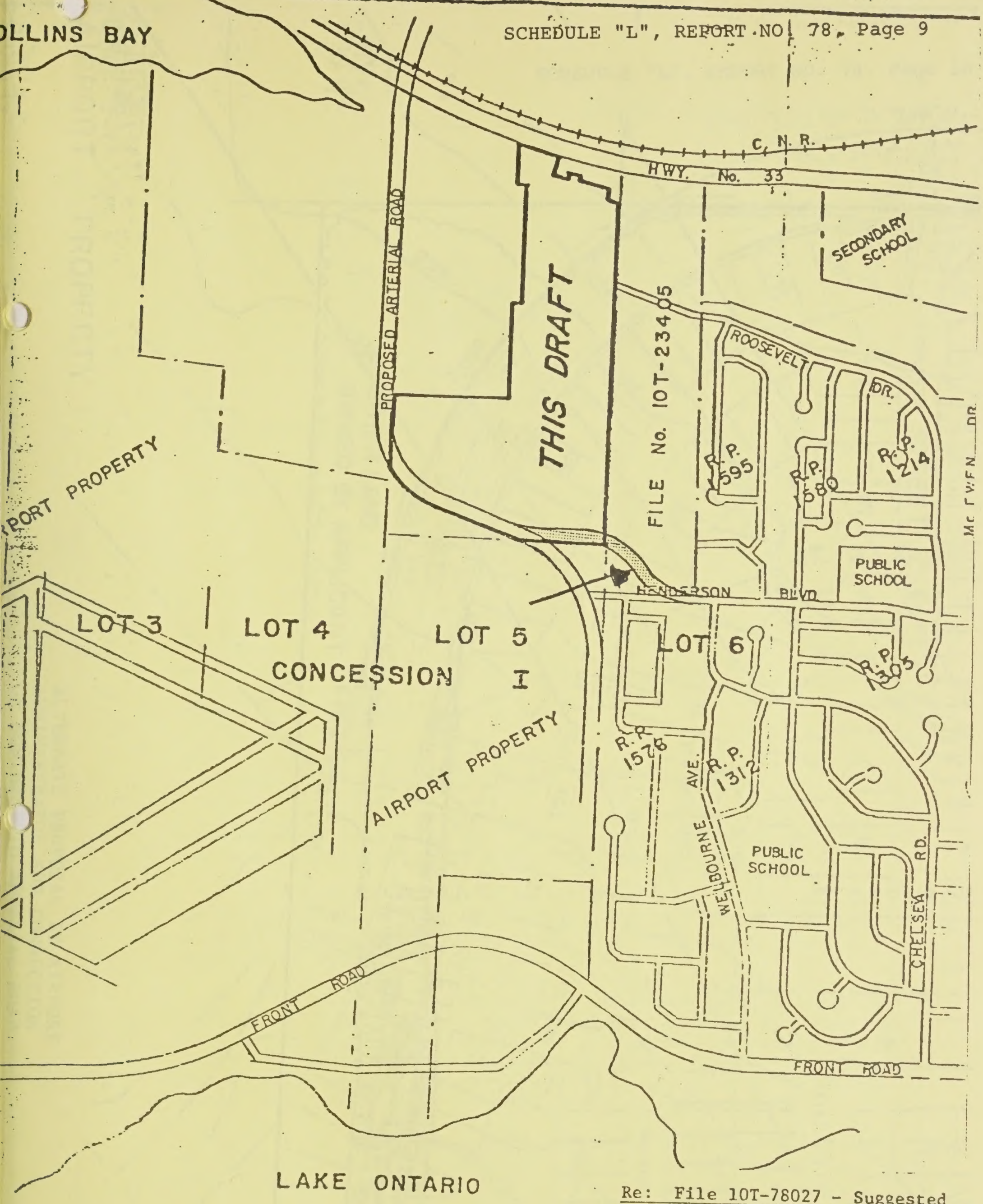
CARRIED AS AMENDED
(See following Motion of Amendment)

Moved by Ald. Knapp,
Seconded by Ald. Bishop,

That Clause 12, subsection d) be amended to add after the word "Kingston" the word "be" and to delete after the word "roadway" the word "either" and after the word "by" the words "sale or", so that Clause 12, subsection d) now read as follows:

"d) that the City of Kingston be reimbursed by Dacon Corporation for the lands required to construct such portion of roadway, by exchange of lands known on the said plan of subdivision as "other lands" owned by Dacon Corporation."

CARRIED


OLLINS BAY
C. N. R.
HWY. No. 33
SECONDARY SCHOOL
PROPOSED ARTERIAL ROAD
THIS DRAFT
FILE No. 10T-23405
ROOSEVELT DR.
R.P. 595
R.P. 1580
R.P. 1214
Mc EWEN DR.
PUBLIC SCHOOL
HENDERSON BLVD.
AIRPORT PROPERTY
LOT 3
LOT 4
LOT 5
LOT 6
CONCESSION I
R.P. 1305
R.P. 1576
AVE.
R.P. 1312
WELLBOURNE
PUBLIC SCHOOL
RD.
CHELSEA
AIRPORT PROPERTY
FRONT ROAD
FRONT ROAD
LAKE ONTARIO

Re: File 10T-78027 - Suggested continuation of north/south arterial road through proposed Dacon Subdivision, Part Lot 5, Conc. I, connecting to Henderson Blvd., Lot 6, west of Kingston Airport property.

Nov. 6/78

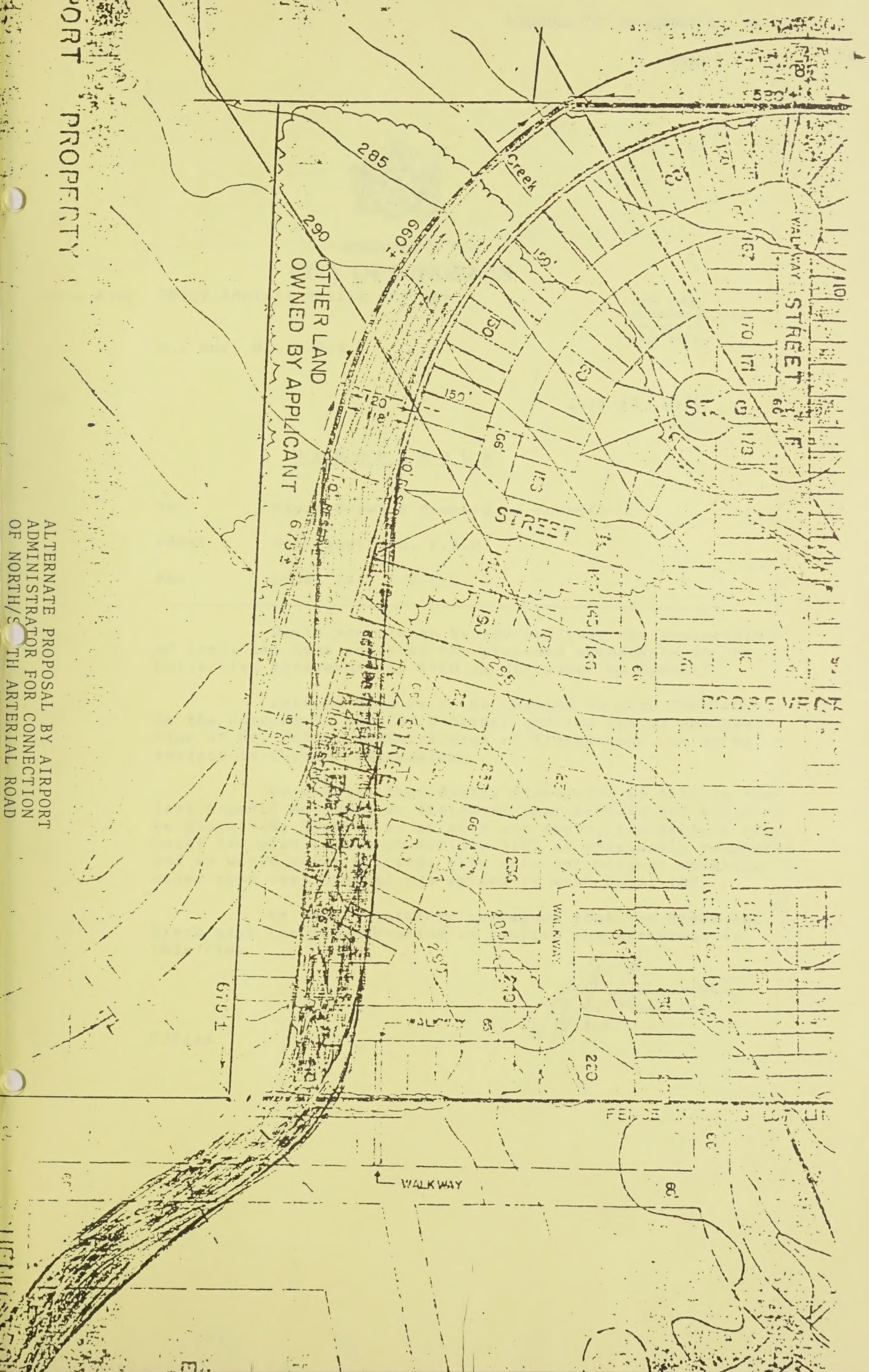
THIS IS A REVISION OF FILE 10T-23737
APPLICATION FOR APPROVAL OF PLAN OF SUBDIVISION
FOR DACON CORPORATION

RVEYOR: SMITH & SMITH KINGSTON LTD.
520 GARDINERS ROAD
KINGSTON, ONTARIO

OWNER: DACON CORPORATION LIMITED
685 GARDINERS ROAD
KINGSTON, ONTARIO

SIGNER: SMITH & SMITH KINGSTON LTD.

SOLICITOR: JACOB, MacPHERSON, STEWART &
172 WELLINGTON



ALTERNATE PROPOSAL BY AIRPORT ADMINISTRATOR FOR CONNECTION OF NORTH/SOUTH ARTERIAL ROAD

AIRPORT PROPERTY
OTHER LAND OWNED BY APPLICANT
Creek
285
290
660'±
675'±
530'±
150'
120'
STREET
STREET F
ST. G
ROOSEVELT
WALKWAY
FENCE

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 5-3.9

July 20, 1979

MEMORANDUM

TO: Mayor Keyes & Members of Council

FROM: R.J. Hamilton, C.A.O.

RE: LOCAL 141, C.U.P.E.

Would you please be advised that the membership of Local 141 have accepted the proposed amendments to the Collective Agreement for 1980 as discussed by Council.

Article 5:02 is to be changed to read similarly as the wording in the 109 Contract and the letter and position of Mr. Smith, Administrator of Rideaucrest, is to be subject to further discussion.

We realize that during discussion of this at the last Council meeting, we indicated that Article 502 would be discussed, however as pointed out above, the members of Local 141 wish to accept Article 5:02 as originally requested and we would point out that this does not present anything other than what Council has agreed to with Local 109.

We would therefore recommend that the Mayor and Clerk sign the documentation to confirm the agreement at this time.

R.J. Hamilton,
C.A.O.

RJH/sd

Article 5:02 - Job Security

Management of the Corporation shall retain the responsibility and the right to determine the methods by which all municipal services are provided. Without restricting its right to determine the methods by which municipal services are to be provided, the Corporation agrees that no employee will be laid off from the Corporation's employment as a result of the Corporation contracting out any of its work or services performed by Members of the Bargaining Unit or as a direct result of technological changes in methods.

SCHEDULE "N" TO REPORT NO. 78

MEMORANDUM

TO: R. J. Hamilton, C.A.O.

FROM: W. D. Stevens, Commissioner of Industries and Airport Administrator

DATE: July 20, 1979

SUBJECT: Upgrading Runway 06R/24L
Our File A-4

ORIGIN: Council Meeting, dated May 28, 1979, Report No. 57, recommending that M.M. Dillon be authorized to proceed with calling of tenders for the upgrading of Runway 06R/24L at an estimated cost of $216,000 and if increase in subsidy is not granted by the Ministry of Transportation and Communications, to proceed on the basis of funds available. Subsequently, the subsidy was increased to $130,000 by the Ministry of Transportation and Communications.

ANALYSIS: A call for tender was placed in the Whig-Standard, July 5, 1979, and in the commercial news and two tenders were received. Attached is a copy of a letter dated July 13, 1979 from M.M. Dillon Ltd. with their evaluation of the tenders and recommendation.

FINANCIAL CONSIDERATIONS: The work, upgrading of Runway 06R/24L and installation of runway lighting and threshhold markers is subsidized in the amount of 50% through the Ministry of Transportation and Communications.

RECOMMENDATION: It is recommended that, subject to Ontario Municipal Board approval, Contract A79-42 for the reconstruction and associated lighting of Runway 06R/24L be awarded to Bennett Paving Limited in the amount of $218,716.64, being the lower of two tenders received.

Respectfully submitted,

W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

Att.

M. M. DILLON LIMITED
consulting engineers and planners
280 METCALFE STREET, OTTAWA, ONTARIO K2P 1R7 • (613) 238-6423

OUR FILE: 7911-04
YOUR FILE:

13 July 1979

Corp. of the City of Kingston
City Hall
Kingston, Ontario
K7L 2Z3

Attention: Mr. W. D. Stevens
Commissioner of Industries

Kingston Airport
Contract #A79-42

Dear Sirs:

We have examined the two tenders received to upgrade runway 06R/24L at Norman Rogers Airport.

The two tenders received were as follows:

Bennett Paving	$218,716.64
H.J. McFarland	225,813.77

The low bidder was within one and one half percent of the Engineer's estimate.

Bennett Paving have named the following sub-contractors

Electrical - Maxim Airfield Lighting Systems Limited
Landscaping - Geo. A. Gibson
Asphalt Prime - Wilfor Construction Ltd.
Pavement Markings - H & R Line Painters

...continued

Rec'd
18 July 79
tj

We are satisfied that this team can produce a satisfactory product and recommend the City of Kingston award contract A79-42 to Bennett Paving and Materials Limited of Kingston.

Would you proceed to have the documents prepared for signature, to expedite the start of this contract upon receipt of O.M.B. and Council clearance.

We enclose the summary of tenders received for your records.

Yours truly,

M. M. DILLON LIMITED

J. W. Kinahan, P.Eng.
Project Manager

JWK:ls
Encl. (1)

MEMORANDUM

TO: R. J. Hamilton, C.A.O.

FROM: W. D. Stevens, Commissioner of Industries and Airport Administrator

DATE: July 20, 1979

SUBJECT: Airport Control Procedures - By-Law
Our File A-4

ORIGIN: Letter dated April 9, 1979, copy attached, from Mr. S. E. Livingston, Regional Manager, Airports and Properties, Transport Canada, respecting airport security procedures; and, advice from Transport Canada Airways Branch that the issuance of airport licences will be in accordance with established procedures at airports.

ANALYSIS: Copy of the Transport Canada regulations respecting the control of motor vehicles, pedestrians, aircraft and equipment on airports operated by Transport Canada is the appropriate background for establishing similar policy for the Kingston Airport. These regulations have been modified to apply to the Kingston Airport. Referred to and approved by the City Solicitor.

EXISTING POLICY: Basic operations, posting of signs, etc. are presently handled without formal legislation, which is essential in the event of any liability brought against the City.

FINANCIAL CONSIDERATIONS: Without an approved policy for levying fines for infractions of any nature, it would be difficult to collect the proposed penalty or pursue charges, and at the same time save the City harmless.

RECOMMENDATION: That the attached proposed By-law to "Provide for Regulations Respecting the Control of Motor Vehicles, Pedestrians, Aircraft and Equipment at the Kingston Airport", be presented to Council for approval.

Respectfully submitted,

W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

Att.

Transport Canada Transports Canada

4900 Yonge Street
Suite 300
Willowdale, Ontario
M2N 6A5

April 9, 1979

Your file Votre référence

Our File Notre référence
5172-1

Mr. W.D. Stevens
Commissioner of Industries
City Hall
Kingston, Ontario

Dear Dave :

Re: Airport Security and
Emergency Procedures

The Regional Security Supervisor, Mr. Jack Harrington, has reported that he found his visit to your Airport most fruitful. He was impressed by your interest in Airport security and safety and your strong desire to enhance your program by the installation of fencing.

I understand Jack left you some of our own Regulations and Procedures to use as a guideline - which I am sure will give you a good basic foundation with which to work out your own plans. If you forward your draft copy of the Airport Emergency Procedures, our specialists will make their reviews and on final approval will have them printed in sufficient number of copies for all interested parties.

Please feel free to call on us for any further help in this regard.

Yours very truly,

S.E. Livingston
S.E. Livingston
Regional Manager,
Airports and Properties

11/4/79-

REPORT NO. 79

July 23, 1979.

To the Mayor and Aldermen:

The Board of Management for Rideaucrest Home for the Aged may present the following report:

1. That, as recommended by the Administrator and by the Director of Purchasing, the tender of Frontenac Electrical Limited, 721 Progress Avenue, Kingston, Ontario, in the amount of $15,785.00, for the installation of a patient-nurse call system at Rideaucrest Home for the Aged, being the lowest tender received, be accepted, it being noted that sufficient unencumbered funds for this purpose have been provided in the 1979 Budget.

   (Note: Schedule 'A' attached lists the tenders received. The Ministry of Community & Social Services has approved the plans and specifications for this call system, and will share the cost at a 50% subsidy. Closing date for acceptance of tender is August 6th)

Respectfully submitted,

CHAIRMAN

Schedule 'B' - Rideaucrest Board -
July 23, 1979

SUMMARY OF TENDER NO. 79-29

for

NURSE CALL SYSTEM - RIDEAUCREST HOME

PERIOD OF USE: Indefinite
METHOD OF INVITATION: Public & Individual Notices
NO. OF INVITATIONS SENT: 22

DATE OF CALLING: June 1, 1979
DATE OF CLOSING: June 20, 1979
NO. OF TENDERS RECEIVED: 9

DESCRIPTION	ALLVIEW INTERPHASE	ELECTRO-VOX INTERCOM	R. W. MARTIN ELEC.	INDUSTRIAL ELEC. CONTR.	ONTARIO ELEC. CONSTR.	K. R. McGOWAN LTD.	J. S. ELECTRIC LTD.	FRONTENAC ELECTRICAL	ASSOCIAT AUDI
TO SUPPLY ALL PLANT, LABOUR, MATERIAL & PERMITS NECESSARY TO INSTALL AN ELECTRICALLY OPERATED AUDITORY NURSE CALL SYSTEM AT RIDEAUCREST HOME	$26,780.23	38,600.00	24,350.00	21,630.00	25,600.00	19,500.00	20,238.00	15,785.00	28,772.
FEDERAL SALES TAX	Included	Included	Included	Included	Included	Included	Included	Included	Inclu
PROVINCIAL SALES TAX	Exempt	Exempt	Exempt	Exempt	Exempt	Exempt	Exempt	Exempt	Exem
COMMENCE -	1 month	Sept. 79	July 3/79	1 week	1 week	1 week	2 weeks	-	60 d
COMPLETE -	1 month after commencement	Oct. 79	Aug. 15/79	6 weeks	10 weeks	5 weeks	5 weeks	4 wks. after delivery of equipment	30 days commenc

REMARKS

The foregoing tabulation is a summary of all tenders received in response to the subject invitation, for the installation of a nurse call system Rideaucrest Home.

Each of the above amounts includes a prime cost allowance of $750.00 for payments to Bell Canada Limited for relocation of their conductors, if necessary. Payment of this allowance to be made only when supported by Bell Canada invoices. Any unused balance would be credited to the Corporation. All tenders were based on standard specifications and drawings with full reference to manufactured components of recognized functional compatibility an characteristics. Installation conformity to the Nursing Homes Act, 1972, as well as certification requirements under Ontario Hydro rules and regulatio being prerequisite since the equipment and installation is further covered by a warranty for a period of one year from the date of installation.

It is felt that the tender invitation provides an equitable basis for the submission and entertainment, thereby establishing price as a logical criterion in their evaluation.

SUMMARY OF TENDER NO. 79-29

RECOMMENDATION

It is recommended for consideration that the tender of FRONTENAC ELECTRICAL LIMITED, 721 PROGRESS AVENUE, KINGSTON, ONTARIO, be accepted being the lowest tender received.

Respectfully submitted,

M. J. Ewart,
Director of Purchasing.

MJE/jg

COMMITTEE OF THE WHOLE

(B) That Council Rise from the Committee of the Whole and the Chairman Report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the Report of the Committee of the Whole be adopted, approved and confirmed.

MOTIONS

BYLAWS

(A) That By-Laws 1 & 2 be given their First & Second Readings.

(B) That Rule No. 35 of By-Law 1 be suspended for the Purpose of Giving By-Law No. 2 its Third Reading.

(C) That By-Laws 2 to 6 be given their Third Reading.

* * *

(1) A By-Law to Provide for Regulations Respecting the Control of Motor Vehicles, Pedestrians, Aircraft and Equipment at Kingston Airport.

(FIRST & SECOND READINGS) (Proposed No. 79-160)

(2) A By-Law to Confirm the Procedures of Council at its meeting held on July 23, 1979.

(THREE READINGS) (Proposed No. 79-161)
City Council Meeting No. 30, 1979

(3) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Rezone Lands North of Counter Street and West of Division Street to Industrial M, M.94, M.96 and Flood Plain FP).

(THIRD READING) (Proposed No. 79-138)
Clause 1, Report No. 73, 1979

(4) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Rezone 119 Barrack Street from Zone A (One and Two Family) Residential to Zone A.165 (One and Two Family) Residential).

(THIRD READING) (Proposed No. 79-139)
Clause 4, Report No. 73, 1979

(5) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Rezone 0.2 HA Parcel of Land on the Southeast Corner of King Street East and Maitland Street from Zone A (One and Two Family) Residential to Zone A.166 (One and Two Family) Residential and Amend Zoning of 47 Wellington Street by Deleting Section 56(a)(ii) Which Permitted Medical Offices Therein).

(THIRD READING) (Proposed No. 79-140)
Clause 5, Report No. 73, 1979

BYLAWS (Cont'd)

(6) A By-Law to Amend the Official Plan of the City of Kingston Planning Area. (Amendment No. 2: Delete Section 2(78) which allowed Limited Medical Office Space within 47 Wellington Street).

(THIRD READING) (Proposed No. 79-141)
Clause 5, Report No. 73, 1979

UNFINISHED BUSINESS

COMMITTEE OF THE WHOLE "IN CAMERA"

(A) That Council resolve itself into the Committee of the Whole to discuss "In Camera" a report from the Administrator of Traffic, Streets and Parking regarding land acquisition at the southwest corner of Stephen and Montreal Streets, with Mayor Keyes in the Chair.

Note: Copy of the Report of the Administrator of Traffic, Streets and Parking was distributed with the Agenda)

(B) That Council rise from the Committee of the Whole and the Chairman report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the Report of the Committee of the Whole be adopted, approved and confirmed.

ADJOURNMENT

CITY COUNCIL MEETING NO. 29

A Special Meeting of City Council, summoned by Mayor Keyes, was held on Monday, July 23rd 1979, at 6:30 p.m. (until 8:00 p.m.) in the Alderman's Lounge, City Hall, to meet in session NOT open to the public to consider employee matters, with Acting Mayor Gerretsen in the Chair.

ROLL CALL

Acting Mayor Gerretsen, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gorham (arrived 6.55 p.m.), Ald. Hawkins, Ald. Lampropoulos, Ald. Matthews, Ald. Miller (arrived 6.45 p.m.), Ald. Tarnowecky, Ald. Timmins (arrived 6.57 p.m.), Mayor Keyes (arrived 7.30 p.m.). *(12)*

COMMITTEE OF THE WHOLE

(1) Moved by Alderman Tarnowecky,
Seconded by Alderman Bishop,

That Council resolve itself into the Committee of the Whole NOT open to the Public, with Acting Mayor Gerretsen in the Chair, to consider the following employee matters:

a) Salaries of non-union personnel.

b) Salary of the Fire Chief.

c) Salary of the Personnel Director.

CARRIED.

(2) Moved by Alderman Timmins,
Seconded by Alderman Hawkins,

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED.

Acting Mayor Gerretsen reported that the following delegation was received and the following motions passed:

(A) Moved by Alderman Bishop,
Seconded by Alderman Clark,

That Council meet with the representatives of the Kingston Administrative Association.

CARRIED.

DELEGATIONS

Mr. G. DeLugt, Mr. M. C. Healy, Mr. G. G. Muirhead and Mr. R. Smith were present representing the Kingston Administrative Association.

(B) Moved by Alderman Timmins,
Seconded by Alderman Tarnowecky,

That effective January 1st 1979, the salaries and salary ranges, both minimum and maximum, for confidential and non-union personnel of the City of Kingston in Groups above 14-10 be increased as follows:

i) For employees in salary groups 15-11 to 17-13 an increase of 8%.

ii) For employees in salary groups 18-14 to 28-24 an increase of $2,000 across-the-board.

(B) (cont'd).

iii) An update of the existing Type 11 Pension to January 1st 1979, to cover sixty-three Non-Union employees be approved.

iv) The Corporation will contribute 100% of the monthly premium cost of the Blue Cross Extended Health Care Plan with a ten-twenty deductible for each non-union employee who is a subscriber, the spouse, and all eligible dependents, effective January 1st 1980.

v) Group Life Insurance on the basis of one-and one-half times the annual salary of the non-union employees effective August 1st 1979.

CARRIED.

(C) Moved by Alderman Bishop,
Seconded by Alderman Clark,

That, effective January 1st 1979, the Director of Personnel be reclassified from Group 18-14 to Group 19-15 at the maximum of the range.

CARRIED.

(D) Moved by Alderman Bishop,
Seconded by Alderman Clark,

That, effective January 1st 1979, the salary of the Fire Chief be increased by $625.00 and effective January 1st 1980 by $625.00 plus any other general increase awarded in both years to the members of the Kingston Administrative Association.

CARRIED.

COUNCIL

(3) Moved by Alderman Gorham,
Seconded by Alderman Lampropoulos,

That the Report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED.

BY-LAWS

(A) Moved by Alderman Matthews,
Seconded by Alderman Hawkins,

That By-Law 1 be given its first and second reading.

CARRIED.

(B) Moved by Alderman Gorham,
Seconded by Alderman Miller,

That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of Giving By-Law 1 its Third Reading.

CARRIED.

(C) Moved by Alderman Timmins,
Seconded by Alderman Bishop,

That By-Law 1 be given its third reading.

CARRIED.

(1) A By-Law to Confirm the Proceedings of Council at its Special Meeting Held July 23rd 1979.

(THREE READINGS) (Proposed No. 79-156)
City Council Meeting No. 29, 1979.

ADJOURNMENT

Moved by Alderman Clark,
Seconded by Alderman Bishop,

That Council do now adjourn.

Council adjourned at 8.05 p.m.

(L.S.)

(Signed) M. C. Healy,
City Clerk.

(Signed) J. Gerretsen
Acting Mayor.

Dup

QUEEN'S UNIVERSITY LIBRARY
DOCUMENTS DEPARTMENT
AUG 20 1979

CITY COUNCIL MEETING NO. 30

The regular meeting of City Council was held on Monday, July 23, 1979 in the Council Chamber, City Hall at 8:20 p.m. His Worship Mayor Keyes presided.

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Lampropoulos, Ald, Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb (14)

MINUTES

Moved by Ald. Clements,
Seconded by Ald. Clark,

That the Minutes of Meeting No. 27 held on July 9, 1979 be amended to add the heading for By-Law 1, "A By-Law to Confirm the Proceedings of Council at its Special Meeting Held on July 9, 1979 (No. 79-137);

- and further -

That the Minutes of Meeting No. 28 held on July 9, 1979 be amended to show that Notice of Motion No. 1 was:

Moved by Ald. Webb,
Seconded by Ald. Gerretsen,

and that Motion No. 2 was:

Moved by Ald. Hawkins,
Seconded by Ald. Gerretsen,

and, as amended, be confirmed.

CARRIED

PETITIONS

(1) From Mr. George Speal, Q.C., a petition bearing the names of 2,000 residents of the City of Kingston. This petition was undertaken by a Kingston citizen, Mr. A.R. Patterson of 39 Worthington Place. The petition reads as follows:

> *"We, the undersigned regret the decision of the Kingston City Council to reduce the area of the proposed Shopping Centre in the vicinity of Weller Avenue and Division Street to a point where it is not considered a viable development.*
>
> *We believe that this development would provide much needed services to the population residing in this area and would also provide considerable tangible and intangible benefits to the City of Kingston; therefore, we urge the City Council to reconsider their decision at the first opportunity."*

(Note: A report from the City Solicitor with regard to reconsideration by Council of this matter was distributed with the agenda)

REFERRED TO COMMITTEE OF THE WHOLE MEETING, AUGUST 13, 1979

(2) Ald. Gerretsen presented a petition signed by approximately 20 property owners and residents requesting the removal of a tree on the east side of McDonald Avenue at 69 McDonald Avenue.

REFERRED TO THE COMMISSIONER OF PARKS AND RECREATION

COMMUNICATIONS

Council consented to the addition of Communication Nos. 410 to 414.

Filed

(388) From Thorne Riddell & Company forwarding a copy of their booklet entitled, "Focus on Taxation".
(File No. 21-3.2)

(389) From The Liquor Licence Board of Ontario notifying that the application received from Seto's Chop Suey House Restaurant, 455 Princess Street, to convert the existing dining room to a dining lounge has been approved.
(File No. 12-6)

(390) From the City of Welland notifying that the resolution of the City of Kingston requesting an amendment to Section 304 of the Municipal Act, RSO 1970, Chapter 284 to increase the annual tax of $50.00, that municipalities may charge hospitals, mental health facilities, universities, community colleges and correctional institutions, was endorsed.
(File No. 19-7)

Referred to the Kingston Planning Board

(391) From the Municipal Liaison Committee advising that they have considered Clause 4, Report 61, which outlines four possible responses to the CMHC change to the standards for the Residential Rehabilitation Assistance Program and unfortunately, there was no consensus on any of the four options and in fact, none of the options were supported by a majority of the respondents. Because the replies were so evenly divided, the MLC decided it was not possible to make a recommendation to the Minister. The Minister and CMHC however, have now agreed that the standards and Agency Agreements will not be changed unilaterally by CMHC and that they will soon be communicating with municipalities in this regard.
(File No. 13-10)

Referred to Kingston Area Refugee Relief Committee

(392) From the Honourable Flora MacDonald, Secretary of State for External Affairs, thanking the City for its letter of June 19, 1979 relating to the refugee crisis in Southeast Asia and notifying that the number of refugees expected to settle in Canada by the end of 1979 may reach 12,000.
(File No. 3-6)

Referred to the City Solicitor

(393) From the Foundation for Aggregate Studies advising the City to delay their comments on the new Aggregates Act originally requested by September 15, 1979 as the Provincial Government has recently issued other policies affecting pits and quarries which means that the Aggregates Act cannot be considered in isolation. The Foundation therefore suggests that the City write to the Honourable James Auld, Minister of Natural Resources to obtain copies of the new documents and defer taking a position until these policies have been carefully studied.
(File No. 17-9)

COMMUNICATIONS (Cont'd)

Filed

(394) From the Hotel Dieu Hospital of Kingston advising that they are not supportive of the resolution of the City of Kingston requesting an amendment to Section 304 of the Municipal Act, RSO 1970, Chapter 284 to increase the annual tax of $50.00, that municipalities may charge hospitals, mental health facilities, universities, community colleges and correctional institutions, unless the Ontario Ministry of Health increases its grant or payment to the hospital for such purpose.
(File No. 19-7)

Which Had Been Referred to the Social Services Administrator and the Chief Administrative Officer

(395) From J.E. Taylor, Clerk-Administrator, County Court House, advising that at the meeting of the Frontenac County Council held on July 10, 1979, the following resolution was passed:

> *"Properly proposed and seconded that the Corporation of the City of Kingston be informed that the County of Frontenac has no desire to investigate a County Welfare System."*

(Clause 13, Report 65)
(File No. 19-7)

Filed

(396) Copy of a letter from the Liquor Licence Board of Ontario to Mr. I. Barnes (Associated Innkeepers) acknowledging receipt of his letter and plans for a building addition (revised plans) to the Holiday Inn, 1 Princess Street, Kingston.
(File No. 12-6)

Which Had Been Referred to the Planning Board & Housing SubCommittee

(397) From Central Mortgage and Housing Corporation forwarding results of their semi-annual rental appartment vacancy survey conducted in the Kingston Census Agglomeration. In addition to vacancy information, data was also collected on the rentals being charged for both occupied and vacant units.
(Note: the survey covered buildings containing six or more self-contained units completed prior to September 30, 1978. There are approximately 5,700 such apartment units in the private sector)
(File No. 8-3.9)

Referred to the Chief Administrative Officer

(398) From the Treasurer of the Sudbury Region Disaster Relief Committee, Dowling, Ontario requesting financial assistance from the City of Kingston because of extensive flooding damage to the Sudbury Region this spring. The cost of damages is estimated at one half million dollars.
(File No. 7-3)

COMMUNICATIONS (Cont'd)

Referred to the Chief Administrative Officer, City Solicitor, Building Inspector and Plumbers Examining Board

(399) From the Ministry of Consumer & Commercial Relations advising the City that Ontario regulation 647 (provincial plumbing code) was amended on May 8, 1979 by Ontario regulation 295/79 and noting that Regulation 647 makes the municipality responsible for all prescribed inspections of plumbing and for having the plumber perform all required tests and further that the Ontario Plumbing Inspectors Association Conference will be held in the City of Niagara Falls, Ontario, from September 16th to September 19th, 1979 at the Sheraton Brock Hotel and included in the program will be a review of Regulation 647 respecting plumbing.
(File No. 2-4)

Filed

(400) Copy of a letter from Mayor Keyes to Mr. Wayne Bulak, President of the Eastern Ontario Olympic Club, congratulating him and the members of the Olympic Club for the guidance and coaching they have given to the young athletes who will be aspiring to chamionship level at the forthcoming events in Sudbury and Etobicoke during the month of August. The Club had been assisted with a grant of $200 from the City of Kingston.
(File No. 7-3)

(401) From the Ministry of Consumer & Commercial Relations advising that in regard to the City's letter of June 27, 1979 relating to the inspection of dispensing facilities in Kingston service stations, that a local representative will be doing a comprehensive survey of these facilities and that a ULC committee is working on standards with respect to hoses, nozzles and the interconnection of dispensers, hoses and nozzles.
(File No. 7-2)

(402) From Mr. N. Jackson, City Solicitor, submitting copies of two decisions of the Ontario Municipal Board respecting applications by the City of Kingston as follows:

a) An appeal from a decision of the Committee of Adjustment respecting a variance for an office-warehouse at 6 Cataraqui Street (the original application having been made by Marathon Realty Company).

b) An application by the City for approval of Restricted Area By-Law No. 9235 which amends By-Law No. 8499 to rezone certain lands on the east side of Montreal Street from E (Heavy Industrial) as set out in By-Law No. 3077 to A.153 (One and Two Family Residential, including other specific uses). (Elder's Beverages).

(Note: Copy of the City Solicitor's report and the decision of the Board with regard to b) was distributed to all members of Council with the Agenda)

(File No. 16-2.1)

Referred to City Treasurer and Administrator of Traffic & Streets and Parking

(403) From the Ministry of Transportation & Communications notifying that the City's 1979 subsidy allocation in the amount of $33,700 for Traffic Signal Installation and/or Modernization has been approved.
(File No. 21-5)

COMMUNICATIONS (Cont'd)

Filed

(404) From the City of Brampton notifying that the resolution of the City of Kingston requesting an amendment to Section 304 of the Municipal Act, RSO 1970, Chapter 284 to increase the annual tax of $50.00, that municipalities may charge hospitals, mental health facilities, universities, community colleges and correctional institutions, was endorsed.
(File No. 19-7)

(405) From the Liquor Licence Board of Ontario notifying that a public meeting will be held on August 7, 1979 at 10:00 a.m. at the Royal Canadian Legion, 261 Ontario Street, Kingston, to consider the application of the House of Peking Restaurant, 479 Princess Street, Kingston, for a dining lounge licence.
(File No. 12-6)

(406) From the Corporation of the City of Oshawa notifying that the resolution of the City of Kingston requesting an amendment to Section 304 of the Municipal Act, RSO 1970, Chapter 284 to increase the annual tax of $50.00, that municipalities may charge hospitals, mental health facilities, universities, community colleges and correctional institutions, was endorsed.
(File No. 19-7)

Referred to the Chief Administrative Officer

(407) From the Corporation of the City of Chatham requesting that the City endorse the following resolution:

"WHEREAS the Provincial Legislature did on the 7th day of June, 1979 give first reading to Bill 124, "An Act to Amend The Municipal Act."

AND WHEREAS the said Bill 124, if finally passed, will make it mandatory that Council by by-law require an election to be held to fill a vacancy in Council where the vacancy occurs before the 1st day of November in the year before an election year.

AND WHEREAS it is the opinion of Council that the cost of conducting a by-election cannot be justified.

AND WHEREAS the Council deems the present permissive legislation to be fair and equitable.

THEREFORE be it resolved that the Legislature of Ontario be petitioned to reconsider the advisability of enacting the proposed amendment to The Municipal Act, and that the present permissive legislation remain in force.

AND FURTHER that copies of this Resolution be forwarded to The Honourable Thomas L. Wells, Minister of Intergovernmental Affairs, The Association of Municipalities of Ontario, The Local Members of the Legislative Assembly and other Municipalities in Ontario, requesting their support."

(File No. 19-7)

COMMUNICATIONS (Cont'd)

Referred to The City of Kingston Planning Board, Planning Department and City Solicitor

(408) From the Ministry of Housing, notifying of the passing of Bill 96, 'An Act to Amend the Planning Act'. This amendment became effective on June 22, 1979 and was passed as a result of the decision by the Supreme Court of Canada which declared ultra vires the development control by-law of the City of Toronto. The main changes relate to the manner in which municipalities can exercise site plan controls directly, without securing OMB approval, rather than in a zoning by-law, and can also enact a by-law designating a site plan control area, within which no development can take place unless the council has approved the plans.

Note: a) copies of a Special Bulletin outlining the details of the Amendment have been distributed to all members of Council)

b) Bill 96 was proclaimed June 22, 1979

See Clause 1, Report No. 76

(File No. 17-4)

Referred to the Director of Planning & Urban Renewal

(409) From the Ministry of Housing advising that:

1) an objection will be raised to the OMB on any bylaws not received in metric units after September 1, 1979.

2) the Ministry is objecting to bylaws being submitted containing provisions with metric unit measurements and the corresponding imperial units bracketed beside them as this is confusing and could involve a legal problem of having two different measurements for the same provision, and suggesting that a separate conversion table listing metric units with their imperial equivalents be included for reference at the back of the bylaw.

3) that a policy that all existing zoning bylaws must be converted to metric units by December 31, 1979, has been established.

4) that the effect of the new subsection 45a. to the Planning Act which reads as follows is that approval of the OMB will not be required where a bylaw is amended to convert measurements to the metric system in accordance with the limits set out in this subsection 1 and subsection (2) protects the position of land, buildings and structures where a bylaw is passed or an order is made that conforms with subsection 1.

45a.---(1) Subsection 10 of section 35 does not apply to a by-law that amends a by-law only to express a word, term or measurement in the by-law in a unit of measurement set out in Schedule I of The Weights and Measures Act (Canada) in accordance with the definitions set out in Schedule II of that Act and that,

COMMUNICATIONS (Cont'd)

(409) Cont'd)

45a. (1)

(a) does not round any measurement so expressed further than to the next higher or lower multiple of 0.5 metres or 0.5 square metres, as the case may be; or

(b) does not vary by more than 5 per cent any measurement so expressed.

(2) Any land, building or structure that otherwise conforms with a by-law passed under section 35 or an order made by the Minister under section 32 does not cease to conform with the by-law or order by reason only of an amendment to the by-law or order that conforms with subsection 1.

(File No. 17-4)

Filed

(410) Copy of a letter from the Ministry of Community and Social Services to the Frontenac Children's Aid Society submitting their comments regarding funding and funding patterns for 1979 as well as a financial summary of salaries, employee benefits, purchased services (non medical),travel, boarding rate payments and non-recurring cost. (File No. 3-4.)

(411) From the City of Kitchener notifying that the resolution of the City of Kingston requesting an amendment to Section 304 of the Municipal Act, RSO 1970, Chapter 284 to increase the annual tax of $50.00, that municipalities may charge hospitals, mental health facilities, universities, community colleges and correctional institutions, was endorsed. (File No. 19-7)

(412) Copy of a letter from The Liquor Licence Board of Ontario to the Prince George Hotel, 200 Ontario Street, Kingston, notifying them of their favourable decision with regard to the Hotel's application for a patio dining lounge licence (11 persons) and a patio lounge licence (8 persons) on condition that the patios are enclosed in a permanently fixed suitable separation having a minimum height of 3 feet. (File No. 12-6)

(413) From the Ontario Ministry of Intergovernmental Affairs acknowledging the City of Kingston's letter of June 21, 1979 to the Ontario Building Officials Association with a copy to the Minister of Consumer and Commercial Relations endorsing their resolution expressing concern over the effect of the enforcement and applications of the Building Code to heritage buildings, and attaching a copy of the Minister's reply to the City of Kitchener in response to a similar resolution in which it is stated that this matter will be discussed at the Second Canadian Building Congress on October 15, 16 and 17, 1979. (File No. 19-7)

COMMUNICATIONS (Cont'd)

Which Had Been Referred to the Planning Department

(414) From Dr. H.H. Westenberg expressing his concern as to the future of the space at 47 Wellington Street, which is, at present, zoned for medical offices and stating that he plans to build an additional building behind the existing 47 Wellington Street school building. At present, Dr. Westenberg is allowed 14 units on the site as well as the medical offices. Since 6 of these units are in the existing building, he is requesting permission from the City for 3 apartment units in return for the dezoning of the medical office space at 47 Wellington Street. (Re: Clause 5, Report No. 77, 1979) (File No. 25-2)

COMMITTEE OF THE WHOLE

(A) Moved by Ald. Tarnowecky,
Seconded by Ald. Timmins,

That Council resolve itself into the Committee of the Whole to receive delegations and reports, with Mayor Keyes in the Chair.

CARRIED

(B) Moved by Ald. Gorham,
Seconded by Ald. Hawkins,

That Council rise from the Committee of the Whole and the Chairman Report.

CARRIED

Ald. Clements withdrew at 9:10 p.m.

The Chairman reported that the following delegation and reports were received in the Committee of the Whole.

DELEGATION

Dr. H. Westenberg spoke with regard to Clause 5, Report No. 77, City of Kingston Planning Board. He asked that Council approve his request to amend the zoning By-Law No. 79-140 on Third Reading to permit up to 3 apartment units in the 1750 sq. ft. of space formerly used as a Medical Office or withdraw the By-Law from the Council Agenda. (Communication (414)).

REPORTS

Ald. Clark presented Report No. 75 of The Implementation Committee.

Moved by Ald. Clark,
Seconded by Ald. Bishop,

That Report No. 75 of The Implementation Committee be received and adopted.

REPORT NO. 75

July 17, 1979.

To the Mayor and Aldermen:

The Implementation Committee reports and recommends as follows;

1. That By-Law No. 1, 'A By-Law to Regulate Council Procedures', be amended as follows:

a) Section 60, B) 3-1) (Travel Allowance for City employees)

Delete "an allowance of $50.00" and substitute therefor "an allowance of $75.00", so that it reads:

"3. When an employee is out of the City on City business, the following uniform travelling expenses shall apply, except where otherwise provided for the Industrial Commissioner:

1) For periods requiring absence from the City of Kingston, an allowance of $75 shall be paid for each overnight stay up to 24 hours. This payment to include the cost of all meals."

b) Section 60, C) 1-1) (Travel Allowance for Members of Council and Members of Boards)

Delete "an allowance of $50.00" and substitute therefor "an allowance of $75.00", so that it reads:

"1. When representatives of the City, including Members of Council and other persons who have been appointed by Council to serve as members of local boards (as defined in The Municipal Affairs Act) or any other body, attend conventions or travel outside the City on City business, the following uniform travelling expenses shall apply:

1) For periods requiring absence from the City of Kingston, an allowance of $75.00 shall be paid for each overnight stay up to 24 hours. This payment to include the cost of all meals."

(See By-Law 1: No. 79-157)

CARRIED
Ald. McArthur opposed

Respectfully submitted,

(Signed) *Ken Keyes* (Chairman)
Bill Bishop
J. Clark
J. Hawkins
A. Lampropoulos
K. Matthews

REPORTS (Cont'd)

Report No. 76 - Chief Administrative Officer

Council consented to the deletion of the word "delete" from Clause 1(a) of Report No. 76 and to the substitution of the word "repeal" therefore.

Moved by Ald. Clements,
Seconded by Ald. Gerretsen,

That Report No. 76 of the Chief Administrative Officer be received and adopted.

REPORT NO. 76

June 20, 1979.

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

1. That as recommended by the City Solicitor, as Bill No. 96, amendment to Section 35a, of the Planning Act, R.S.O. 1970, as amended, came into force and effect on June 22nd 1979, the following by-laws be presented to Council:

   a) A by-law to repeal Section 5.30 of By-Law 8499, "Restricted Area (Zoning) By-Law of the City of Kingston".

   b) A By-Law to Designate the City of Kingston as a Site Plan Control Area, Pursuant to Section 35(a) of The Planning Act, R.S.O. 1970, as amended.

(Note: Copy of report of City Solicitor attached hereto.)

(See By-Laws 2 and 3: No. 79-158 and 79-159) *CARRIED AS AMENDED*

Respectfully submitted,

R. Hamilton,
Chief Administrative Officer

CITY OF [illegible]
COPY
FOR:
R. Haughton

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE City Solicitor

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. D-25

MEMORANDUM

TO: Mr. R. J. Hamilton,
Chief Administrative Officer

FROM: Norman C. Jackson,
City Solicitor

DATE: July 20, 1979

RE: Bill 96 - An Act To Amend The Planning Act
Respecting Development Control

Yesterday I was advised by the City Clerk and the City Planner that they had received a Special Bulletin from the Province indicating that Bill 96 became effective June 22, 1979. Bill 96 repeals the old Section 35(a) of The Planning Act (for Development Control) and substitutes a new Section 35(a).

Section 1 requires a short by-law to be passed by the Council designating an area of the City as an area of Site Plan Control. This by-law could designate the whole of the City of Kingston. It is not necessary, under the new Act, to repeat all the provisions of the Act, but only to designate an area which will then bring the Act into existence. This is similar to what had been required in the past to bring Subdivision Control into effect.

A City can provide exemption for certain types of minor development, and could provide for the same exemptions as are contained in our present by-law. The provisions are similar to what were contained in the old Section 35(a) but it is to be noted that, while elevation and cross section drawings are still required, excluded now, under the Act, are certain interior areas, the colour, texture and type of materials, window detail, construction details, architectural detail and interior design. It is interesting to note, as well, that the widening of highways and easements that can be required by the municipality are now expressly stated to be at no expense to the municipality.

......../2

This Act, is stated, in Section 4, to come into force on the day it receives Royal Assent. Royal Assent was given on June 22, 1979. Since Section 1 repealed the old Section 35(a), any action taken by City Council under Development Control Applications, since the effective date of the new Statute (June 22, 1979), should have been under the new Statute, with the appropriate by-law having been passed by the Council. With not having received notice until yesterday, unfortunately, the new by-law was not in place.

In examining the provisions of the Bill, Section 3 provides that previous agreements entered into under the old legislation are declared to be valid and binding. However, this would apply to agreements entered into by the municipality only up to and before the day that the new Section 35(a) was to come into force. Section 2 of the Act deems certain by-laws to continue in force, but it would be my interpretation that the only by-laws deemed to continue in force would be those which were specific and covered individual features of the site. The City of Toronto has enacted some specific Site Plan by-laws of this kind.

On checking with the Legal Counsel for the Ministry of Housing, he has agreed with me that Section 2 will not validate a by-law which has not specifically set out the details of Development Control, and a by-law similar to the City of Kingston which has copied the previous legislation should be reenacted under the new legislation.

Since the new legislation has been in effect since June 22, 1979, I recommend the immediate passing of a short by-law designating the City of Kingston as an area of Site Plan Control. This should be done before any further Development Control Applications, whether they be amendments to previous agreements, or whether they be for new agreements, are approved of by City Council. The Legal Counsel for the Ministry of Housing has also confirmed to me that, even if previous agreements which were entered into before the new legislation came into force on June 22, 1979 are valid and binding, amendments to those agreements, if the amendments were entered into after the new legislation came into force, would not necessarily be valid and binding. Therefore, amending agreements should be processed after the approval by City Council of a new by-law designating the City of Kingston as an area of Site Plan Control.

On the City Council agenda for this Monday, July 23, 1979, there are two clauses from the Planning Board requiring amendments to previous Development Control Agreements, and two clauses requiring the entering into of new Development Control Agreements. In order for Council to lawfully exercise its powers under the new legislation now in effect, Council should pass the by-law designating the City of Kingston as an area of Site Plan Control before approving of these applications for Development Control. I understand, as well, that at the previous Council meeting, on July 9, 1979, an application for Development Control was approved for Van Herpt Motors, this being the only other application for Development Control approved by City Council since the enactment of the new legislation. Since the Van Herpt Motors matter was approved by City Council under the old by-law, after the new legislation by the Province had come into effect on June 22, 1979, such decision by City Council should be re-affirmed in order to make the agreement required by Council and the building permit lawful.

I recommend that City Council not approve of any further Development Control Applications until it has passed the short by-law necessary designating the area of Site Plan Control. The passing of such by-law must, however, be in advance of the approval by Council of any further applications for Development Control. The by-law would be in effect immediately since it is no longer required to be in the Zoning By-law and it does not require the approval of The Ontario Municipal Board.

I include herewith a copy of Bill 96 which received third reading on June 22, 1979, has received Royal Assent, and is now in force and has been since June 22, 1979.

NCJ:dg
encl.

Norman C. Jackson,
City Solicitor.

c.c. to: Mr. G.G. Muirhead,
Director of Planning & Urban Renewal;

Mrs. Marion Houghton, ✓
Acting Clerk (Pro Tempore)

BILL 96

3RD SESSION, 31ST LEGISLATURE, ONTARIO
28 ELIZABETH II, 1979

An Act to amend The Planning Act

THE HON. C. BENNETT
Minister of Housing

An Act to amend The Planning Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

s. 35a, re-enacted

1. Section 35*a* of *The Planning Act*, being chapter 349 of the Revised Statutes of Ontario, 1970, as enacted by the Statutes of Ontario, 1973, chapter 168, section 10, is repealed and the following substituted therefor:

Interpretation

35*a*.—(1) In this section, "development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot.

Establishment of site plan control by by-law

(2) Where there is an official plan in effect in a municipality, the council of the municipality may, by by-law, designate the whole or any part of the area covered by the official plan as a site plan control area, but nothing herein authorizes the council to designate an area that is not within the limits of the municipality of which it is the council.

Designation of site plan control area

(3) A by-law passed under subsection 2 may designate a site plan control area by reference to one or more land use designations contained in a by-law passed under section 35.

Approval of plans or drawings

(4) No person shall undertake any development in an area designated under subsection 2 unless the council of the municipality or, where a referral has been made under subsection 10, the Municipal Board has approved one or both, as the council may determine, of the following:

1. Plans showing the location of all buildings and structures to be erected and showing the location of all facilities and works to be provided in conjunction therewith and of all facilities and works required under clause *a* of subsection 7.

2. Drawings showing plan, elevation and cross-section views for each industrial and commercial building to be erected and for each residential building containing twenty-five or more dwelling units to be erected which are sufficient to display,

   (*a*) the massing and conceptual design of the proposed building;

   (*b*) the relationship of the proposed building to adjacent buildings, streets, and exterior areas to which members of the public have access; and

   (*c*) the provision of interior walkways, stairs and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings,

   but which exclude the layout of interior areas, other than the interior walkways, stairs and escalators referred to in clause *c*, the colour, texture and type of materials, window detail, construction details, architectural detail and interior design.

Proviso

(5) Nothing in this section shall be deemed to confer on the council of the municipality power to limit the height or density of buildings to be erected on the land.

Conditions to approval of plans

(6) As a condition to the approval of the plans and drawings referred to in subsection 4, a municipality may require the owner of the land to,

(*a*) provide to the satisfaction of and at no expense to the municipality any or all of the following:

1. Widenings of highways that abut on the land.

R.S.O. 1970, c. 201

2. Subject to *The Public Transportation and Highway Improvement Act*, facilities to provide access to and from the land such as access ramps and curbings and traffic direction signs.

3. Off-street vehicular loading and parking facilities, either covered or uncovered, access driveways, including driveways for emergency vehicles, and the surfacing of such areas and driveways.

4. Walkways, including the surfacing thereof, and all other means of pedestrian access.

5. Facilities for the lighting, including floodlighting, of the land or of any buildings or structures thereon.

6. Walls, fences, hedges, trees, shrubs or other groundcover or facilities for the landscaping of the lands or the protection of adjoining lands.

7. Vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material.

8. Easements conveyed to the municipality for the construction, maintenance or improvement of watercourses, ditches, land drainage works and sanitary sewerage facilities on the land.

9. Grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon;

(*b*) maintain to the satisfaction of the municipality and at the sole risk and expense of the owner any or all of the facilities or works mentioned in paragraphs 2, 3, 4, 5, 6, 7, 8 and 9 of clause *a*, including the removal of snow from access ramps and driveways, parking and loading areas and walkways;

(*c*) enter into one or more agreements with the municipality dealing with any or all of the facilities, works or matters mentioned in clause *a* or with the provision and approval of the plans and drawings referred to in subsection 4.

Registration of agreements

(7) Any agreement entered into under clause *c* of subsection 6 may be registered against the land to which it applies and the municipality is entitled to enforce the provisions thereof against the owner and, subject to the provisions of *The Registry Act* and *The Land Titles Act*, any and all subsequent owners of the land.

R.S.O. 1970, cc. 409, 234

Application of R.S.O. 1970, c. 284

(8) Section 469 of *The Municipal Act* applies to any requirements made under clauses *a* and *b* of subsection 6 and to any requirements made under an agreement entered into under clause *c* of subsection 6.

(9) Where the municipality fails to approve the plans or drawings referred to in subsection 4 within thirty days after they are submitted to the municipality for approval or where the owner of the land is not satisfied with any of the requirements made by the municipality under subsection 6 or with any part thereof, including the terms of any agreement required, the owner of the land may require the plans or drawings or the unsatisfactory requirements or parts thereof or the agreement, as the case may be, to be referred to the Municipal Board by written notice to the secretary of the Board and to the clerk of the municipality, and the Board shall then hear and determine the matter in issue and settle and determine the details of the plans or drawings and approve the same and settle and determine the requirements, including the provisions of any agreement required, and the decision of the Board is final.

(10) Where the council of a municipality has designated a site plan control area under this section the council may, by by-law,

- (*a*) define any class or classes of development that may be undertaken without the approval of plans and drawings otherwise required under subsection 4; and
- (*b*) delegate to either a committee of the council or to an appointed officer of the municipality identified in the by-law either by name or position occupied, any of the council's powers or authority under this section, except the authority to define any class or classes of development as mentioned in clause *a*.

Notwithstanding section 1 of this Act, section 35*a* of *The Planning Act*, as it exists on the day before this Act comes into force, shall be deemed to continue in force in respect of any by-law passed under that section prior to the day before this Act comes into force.

Every agreement entered into by a municipality after the 16th day of December, 1973 and before the day that section 35*a* of *The Planning Act*, as re-enacted by section 1 of this Act, comes into force, to the extent that the agreement deals with facilities and matters mentioned in subsection 2 of section 35*a* of *The Planning Act* as it exists on the day before this Act comes into force, is hereby declared to be valid and binding.

This Act comes into force on the day it receives Royal Assent.

The short title of this Act is *The Planning Amendment Act*,

BILL 96

An Act to amend
The Planning Act

1st Reading

May 17th, 1979

2nd Reading

June 5th, 1979

3rd Reading

June 22nd, 1979

THE HON. C. BENNETT
Minister of Housing

1979

COMMITTEE OF THE WHOLE (Cont'd)

(C) Moved by Ald. Lampropoulos,
Seconded by Ald. Matthews,

That the report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

BYLAWS

(A) Moved by Ald. McArthur,
Seconded by Ald. Miller,

That By-Law Nos. 1 to 3 be given their First & Second Readings.

CARRIED

(B) Moved by Ald. Tarnowecky,
Seconded by Ald. Timmins,

That Rule No. 35 of By-Law No. 1 be suspended for the purpose of giving By-Law Nos. 1 to 3 their Third Reading.

CARRIED

(C) Moved by Ald. Gorham,
Seconded by Ald. Gerretsen,

That By-Law Nos. 1 to 3 be given their Third Reading.

CARRIED

(1) A By-Law to Amend By-Law No. 1, "A By-Law to Regulate Council Procedures" (Amend Section 60(B)3-1 (Travel Allowance for City Employees and Section 60(c)1-1 Travel Allowance for Members of Boards and Members of Council).

(THREE READINGS) (Proposed No. 79-157)
Clause 1, Report No. 75

(2) A By-Law to Repeal Section 5.30 of By-Law 8499, "Restricted Area (Zoning) By-Law of the City of Kingston."

(THREE READINGS) (Proposed No. 79-158)
Clause 1, Report No. 76

(3) A By-Law to Designate the City of Kingston as a Site Plan Control Area, Pursuant to Section 35(a) of The Planning Act, RSO 1970, As Amended.

(THREE READINGS) (Proposed No. 79-159)
Clause 1, Report No. 76

COMMITTEE OF THE WHOLE (Cont'd)

(A) Moved by Ald. Webb,
Seconded by Ald. Bishop,

That Council resolve itself into the Committee of the Whole to receive reports with Mayor Keyes in the Chair.

CARRIED

(B) Moved by Ald. Tarnowecky,
Seconded by Ald. Timmins,

That Council Rise from the Committee of the Whole and the Chairman Report.

CARRIED

The Chairman reported that the following reports were considered in the Committee of the Whole:

Ald. Clements returned at 9:15 p.m.

REPORTS

Ald. Timmins presented Report No. 77 of the Kingston Planning Board.

Moved by Ald. Timmins,
Seconded by Ald. Clements,

That Report No. 77 of the City of Kingston Planning Board be received and adopted clause by clause.

REPORT NO. 77

July 18, 1979.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. That the Development Control Agreement between the City of Kingston and Paron Construction Ltd., approved by Council on July 24, 1978, be amended in accordance with the following plans:

Plan #1 - Site Plan - Scale 1/16"=1'0" - June 15, 1979

Plan #2 - Level B - Floor Plan - Scale 1/16"=1'0" June 15, 1979

Plan #3 - Level A - Floor Plan - Scale 1/16"=1'0" June 15, 1979

Plan #19 - Elevations (North & South) Scale 1/16"=1'0" June 15, 1979

Plan #20 - Elevations (East & West) Scale 1/16"=1'0" June 15, 1979

Plan #21 - Elevation (West) Scale 1/8"=1'0" - June 15, 1979

Plan #22 - Elevation (South) Scale 1/8"=1'0" - June 15, 1979

Plan #23 - Elevation (North) Scale 1/8"=1'0" - June 15, 1979

Plan #24 - Elevation (Hotel North & South) = Scale 1/8"=1'0" - June 15, 1979

Plan #25 - Elevation (East) Scale 1/8"=1'0" - June 15, 1979

(Designer: Munro Ploen & Associates Ltd.)

- and -

subject to the following conditions:

REPORTS (Cont'd)

Report No. 77 - City of Kingston Planning Board

1. (Cont'd)

a) that a landscaping plan for the remainder of the site not yet built upon shall be submitted to the City for approval not later than December 31, 1980;

b) that the owner shall enter into consultation with the owner of the adjacent development to be constructed by 361029 Ontario Ltd. for the purpose of endeavouring to achieve agreement upon a common design for the waterfront walkways of both projects.

(Note: For the information of Council, the effect of the above plan changes will be as follows:

a) *The proposed walkway has been lowered so that it is at the grade level throughout its whole length;*

b) *The number of hotel rooms has been increased from 90 to 128 by reducing floor area allocated to physical recreation facilities, and adding one floor of rooms;*

c) *The number of stories in the hotel is increased from 5 to 6, although the height is decreased by 4 feet due to lower ceiling heights;*

d) *Overall bulk of the hotel is reduced by about 25%;*

e) *Total parking spaces are increased from 278 to 375 mainly through use of stacked parking and 8 ft. wide spaces in the hotel area;*

f) *The entire development grade level has been raised by 1 ft. to increase distance above water level;*

g) *The roof level of the condominium remains unchanged while the office building roof is lowered by 2 feet;*

h) *The lower podium (parking garage roofline) has been increased from 6.5 ft. above the Ontario Street sidewalk to 7.5 ft. while the differential for the upper podium differential has been increased from 10.5 ft. to 11.5 ft.*

i) *The podium wall immediately next to Ontario Street has been terraced back to allow for planters and a wheelchair ramp and steps.)*

CARRIED
Ald. Miller opposed

2. WHEREAS on June 18, 1979 Council passed a resolution recommending tothe Minister of Housing that condominium approval be given to a 123 apartment building located on Ontario Street between Clarence and Johnson Streets, to be constructed by Paron Construction Inc.; and

WHEREAS such recommendation was subject to certain conditions, including the following:

"that the approval in no way constitutes permission for land division of any portion of this development complex"

and

WHEREAS the Minister of Housing has notified the City that the very fact of registration of the condominium plan achieves a legal separation of the land; and

WHEREAS, after consideration, it is the opinion of the Planning Board that the above condition should be deleted;

THEREFORE BE IT RESOLVED THAT the Minister of Housing be informed that the City wishes to delete the above condition from Clause 2, Report No. 67, 1979.

CARRIED

REPORTS (Cont'd)

Report No. 77 - City of Kingston Planning Board

Ald. Hawkins withdrew at 9:40 p.m. and returned at 9:45 p.m.

3. That the agreement dated 18th December 1978, between the City of Kingston and 361029 Ontario Limited, which agreement amends an agreement dated June 22, 1970 (as amended December 13, 1971) with respect to development of Block 'C', be further amended in accordance with the following plans:

Plan A2 - Parking Lower Level - Scale 1/8"=1'0 - June 19, 1979

Plan A3 - Parking Upper Level Plus Retail - Scale 1/8"=1'0" - June 19, 1979

Plan A4 - Second Floor - Scale 1/8"=1'0" - June 19, 1979

Plan A5 - Third Floor - Scale 1/8"=1'0" - June 19, 1979

Plan A6 - Fourth Floor - Scale 1/8"=1'0" - June 19, 1979

Plan A7 - Fifth to Twelfth Floors - Scale 1/8"=1'0" - June 19, 1979

Plan A8 - Roof & Mechanicals - Scale 1/8"=1'0" - June 19, 1979

Plan A13 - Elevation Ontario St. - Scale 1/8"-1'0" - June 19, 1979

Plan A14 - Elevation William St. - Scale 1/8"=1'0" - June 19, 1979

Plan A15 - Elevation Waterfront - Scale 1/8"-1'0" - June 19, 1979

Plan A16 - Elevation Johnson St. - Scale 1/8"=1'0" - June 19, 1979

Plan A17 - Cross Section (North-South) - Scale 1/8"-1'0" June 19, 1979

Plan A18 - Cross Section (East-West) - Scale 1/8"-1'0" - June 19, 1979

(Designer: The Webb Zerafa Menkes Housden Partnership, Architects and Engineers)

- and -

subject to the following conditions:

a) that the building commonly referred to as the Hanley Station shall be preserved and renovated at the expense of the owner;

b) that the owner shall landscape a 20 foot strip of William Street until such time as development of the remaining blocks in the complex proceeds;

c) that the owner shall enter into consultation with the owner of the adjacent development now being constructed by Paron Construction Ltd., for the purpose of endeavouring to achieve agreement upon a common design for the waterfront walkways of both projects;

(Note: For the information of Council, the effect of the above plan changes will be as follows:

a) *Parking layout and access have been changed, resulting in a decrease of parking from 164 spaces to 143;*

b) *Retail space layout has been adjusted with floor area about the same as on earlier plans;*

c) *additional recreational space has been placed on the lowest floor of the apartment building;*

d) *Roof elevation is at 374 ft. + above sea level, while the original plans were at 377 ft. $\underline{+}$*

e) *Certain internal layout changes have resulted in changes to the appearances of the exterior elevations i.e. roofline, balconies, fenestration and treatment of the ground floor exterior walls, windows, doors, steps, etc.)*

CARRIED

Ald. Miller opposed

REPORTS (Cont'd)

Report No. 77 - City of Kingston Planning Board

4. That the development control agreement between the City of Kingston and Mr. Edward Bak (approved by Council as Clause 1, Report No. 10, 1977) with respect to a building at 331 King Street East, now owned by Mr. M.J. Ottenhof, be amended in accordance with the following plans submitted by Mr. M.J. Ottenhof:

Plan #1 - Existing Dimensions - Scale 1/4"=1'0" - June, 1979

Plan #2 - Main Floor Plans - Scale 1/4"=1'0" - June 1979

Plan #3 - Cross Section & Typical Floor Plans - Scale 1/4"-1'0" - June 1979

Plan #4 - Section & Elevation - Scale 1/4"=1'0" - June 1979

(Matthew J. Ottenhof - Tom Roberts, Engineer)

and further -

That the said agreement be also amended to:

a) delete reference to the original plans and add the aforementioned plans;

b) that the following clauses be added:

   i) that fire emergency exits shall meet the requirements of the Ontario Building Code;

   ii) that the design and location of all exterior lighting shall be subject to City approval.

CARRIED

5. That no action be taken on the request submitted by Dr. Hans Westenberg, that By-Law No. 79-141 'A By-Law to Amend the Official Plan of the City of Kingston Planning Area (Amendment No. 2: Delete Section 2(78) Which Allowed Limited Medical Office Space Within 47 Wellington Street)' and By-Law No. 79-140, 'A By-Law to Rezone Land on the South-East Corner of King Street East and Maitland Street AND Amend Zoning of 47 Wellington St. by Deleting Section 56.(a)ii. Which Permitted Medical Offices Therein', be amended on third reading to substitute 3 apartment units for the 1750 sq. ft. of space formerly used as a medical office.

LOST 2:12

See following Motion of Referral which was LOST

Moved by Ald. Webb,
Seconded by Ald. Clark,

That Clause 5, Report No. 77, be referred to the City of Kingston Planning Board.

LOST 2:12

See following Motion

REPORTS (Cont'd)

Report No. 77 - City of Kingston Planning Board

5. (Cont'd)

Moved by Ald. Bishop,
Seconded by Ald. Gerretsen,

That, as requested by Dr. Hans Westenberg, By-Law No. 79-140, "A By-Law to Rezone Land on the South-East Corner of King Street East and Maitland Street and Amend Zoning of 47 Wellington Street by Deleting Section 56.(a)ii which permitted Medical Offices Therein", be amended on Third Reading to also amend Section 56(a)i to permit up to 17 dwelling units.

CARRIED
Ald. Clark opposed
Ald. Miller opposed
Ald. Timmins opposed
Ald. Webb opposed
Ald. Matthews opposed

6. That the following plans, submitted by the Frontenac, Lennox & Addington County Roman Catholic Separate School Board, for eight temporary portable classrooms at St. Peter's (1), St. Paul's (1) and Regiopolis-Notre Dame (6) Schools:

Plan 1(a) - Floor Plan - Scale 1/16"-1'0" - July 3, 1979
Plan 1(b) - Site Plan - Scale 1"=30' - July 3, 1979
Plan 2 - Site Plan - Scale 1"-40' - July 4, 1979
Plan 3 - Site Plan - Scale 1"=40' - July 4, 1979

be approved, subject to the owner entering into a development control agreement, which shall include the following conditions:

a) that development shall be in accordance with the above listed plans;

b) that in view of the fact that these structures are of a temporary and portable nature, the approval shall be for not more than a five-year period from the date of the issuance of the building permits and said structures shall be removed prior to the expiry of the five-year period;

c) that the structures shall be subject to the recommendations of the Ontario Fire Marshal with respect to fire protection;

d) that any sewer connection for these buildings shall be subject to the approval of the Commissioner of Works.

CARRIED

7. That Development Control approval, granted by Council at its meeting on July 9, 1979, (Clause 7, Report No. 73) for an addition to the auto sales and service building located at 848 Portsmouth Avenue (Van Herpt Motors) be and is hereby reaffirmed.

(Note: This action is necessary due to an amendment to the Planning Act which received Royal Assent on June 22, 1979)

CARRIED

Respectfully submitted,

(Signed) *G. Timmins* (Chairman)
John Clements
Lois E. Miller
Ken Keyes

REPORTS

Report No. 78 - Chief Administrative Officer

Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That Report No. 78 of the Chief Administrative Officer be received and adopted.

REPORT NO. 78

July 23, 1979

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

1. That, as recommended by the City Solicitor, the Director of Planning & Urban Renewal, and the Commissioner of Works, no action be taken on the request by the solicitor for Mr. Bob Martin that Council pass a resolution requiring that should land on the opposite side of Queen Mary Road be developed at a future date, that the developer refund to Mr. Martin one-half of the cost of services now being installed by Mr. Martin on Queen Mary Road in connection with his development at that location, it being noted that the subject land is owned by the Cataraqui Region Conservation Authority, and any agreement with regard to costs of servicing should be subject to discussion between Mr. Martin and the Conservation Authority.

(Note: A copy of the reports of the Chief Administrative Officer, the City Solicitor, Director of Planning & Urban Renewal, and the Commissioner of Works, are attached hereto as Schedule 'A') (4 Pages).

CARRIED

2. Moved by Alderman McArthur,
Seconded by Alderman Clements,

That Report No. Clause 14, Report No. 74, which reads as follows, be lifted from the table, discussed along with the report of the Chief Administrative Officer and the City Treasurer and approved:

That, as recommended by the City Treasurer and Departments concerned, the following budget transfers be approved to provide additional funds to the various accounts, as a result of contract settlements, it being noted that all the said transfers are to increase wages in the accounts listed, and that the Finance Contingencies Account was increased on approval of the Budget to allow for such transfers:

REPORTS (Cont'd)

Report No. 78 - Chief Administrative Officer

2. (Cont'd)

	Account #	Increase	Decrease
Cataraqui Park - Wages	3251	$ 1,061.	
J.K. Tett Centre - Wages	329-01	251.	
Artillery Park - Wages	329-70	600.	
Parks - Wages	421-02	5,018.	
- Equip. Mtnce.	421-04	500	
- Bldg. Mtnce.	421-52	400.	
- Greenhouse	421-60	140.	
- Boulevard Mtnce.	421-64	272.	
- Traffic Islands & Tree Belts	421-65	272.	
- Weed Control	421-67	600.	
- Tree Trimming	421-70	2,116.	
- Development	421-87	540.	
Recreation - Mtnce. Equip.	423-43	300.	
- Outdoor Rinks	423-60	1,300.	
- Ball Diamonds	423-65	200.	
- Cont. from Revenue	423-80	130.	
	Account #	**Increase**	**Decrease**
Elmer Youth Centre - Wages	428-60	$ 1,192	
Cook Youth Centre - Wages	429-01	1,162.	
Public Works - Mtce. Walks	313-85	2,000.	
- Perm't Pav'ts.	314-02	5,000.	
- Unpaved Roads	314-20	2,000.	
- Winter Control	314-34	5,000.	
- Winter Control	314-37	5,000.	
- Street Sweeping	314-61	5,000.	
- Sewers - Manhole Rep.	315-03	1,000.	
- Sewers - Cleaning	315-04	3,000.	
- Sewers - Laterals	315-10	1,000.	
- Supp. Pension	310-44	16,955.	
Traffic & Streets - Wages	362-01	1,125.	
Police - Salaries	3901	38,038.	
- School Aides	3903	1,848.	
Fire Dept. - Salaries	3301	37,230.	
- Supp. Pension	3301	51,497.	
Finance - Contingencies			$191,747.

(Note: Contracts involved: CUPE Local 109, Fire and Police
Copy of report of City Treasurer is attached as Schedule "B" - 2 Pages).

CARRIED

REPORTS (Cont'd)

Report No. 78 - Chief Administrative Officer

3. WHEREAS under the terms of an Agreement with the Federal government, the City of Kingston has use of Federal Penitentiary land on the east side of the Portsmouth Harbour immediately adjacent to the Penitentiary wall; and

WHEREAS, under such agreement, the City and the Small Craft Harbours Branch, Federal Ministry of the Environment, must share the cost and responsibility of erecting a ten-foot security fence from King Street West to the water's edge, which fence was badly damaged during a recent storm; and

WHEREAS the cost of repairing such fence is estimated at approximately $1,000, half of which is the responsibility of the City and half the responsibility of the Small Craft Harbours Branch, Federal Ministry of the Environment; and

WHEREAS the said fence is a vital part of the security of the Penitentiary and requires immediate repair;

THEREFORE BE IT RESOLVED THAT, as recommended by the Commissioner of Parks & Recreation, that the following budget transfer be approved:

	Increase	Decrease
Account #329-61 - Land Mtnce. (Portsmouth Olympic Harbour)	$500.	
Finance Contingencies		$500.

(Note: Report of the Commissioner of Parks & Recreation is attached hereto as Schedule 'C'- 2 Pages).

CARRIED

4. That, as requested by the Public Utilities Commission, the consent of Council be and is hereby given, pursuant to Section 41(5)(b) of *The Public Utilities Act*, R.S.O. 1970, Chap. 390, to the Public Utilities Commission of the City of Kingston to expend an additional $78,000 from 1979 Revenue and Accumulated Revenue for consumer services, meters regulator and equipment, as follows, for the Gas Supply System in the City of Kingston, rather than issue debentures:

	Approved	Increase Requested	Revised Capital Expenditures
Consumer Services	$55,000	$50,000	$105,000
Meters Regulator & Equipment	27,000	28,000	55,000
	82,000	78,000	160,000

(Note: Original approval was given by Council on February 26, 1979 for a total of $115,500 - including Transmission and Distribution system, which requires no increase. The request of the P.U.C. is attached hereto as Schedule "D" - 2 Pages)

CARRIED

REPORTS (Cont'd)

Report No. 78 - Chief Administrative Officer

5. WHEREAS the Public Works Department has traded-in its water tank truck in order to purchase new equipment; and

WHEREAS the Parks & Recreation Department wishes to acquire the water tank truck in order to more efficiently provide water service for watering of trees and shrubs, and for outdoor rink flooding; and

WHEREAS sufficient unencumbered funds to provide half the cost of $1,200 are available in the Outdoor Rink account;

THEREFORE BE IT RESOLVED THAT, as recommended by the Commissioner of Parks & Recreation, the following budget transfer be approved:

	Increase	Decrease
Account #423-60 (Outdoor Rinks)	$600.	
General Ledger Account (Tree Bank Fund)		$600.

(Note: Reports of the Chief Administrative Officer and the Commissioner of Parks & Recreation are attached hereto as Schedule 'E' - 2 Pages.)

CARRIED

6. That, as recommended by the Chief Administrative Officer, a grant of $100.00 be made to the Township of Dover for Disaster Relief, said monies to be transferred from Finance Contingencies.

(Note: A copy of the report of the Chief Administrative Officer is attached hereto as Schedule "F" - 2 Pages.)

CARRIED

7. That, as recommended by the Chief Administrative Officer, the following resolution of the Town of Hawkesbury, be endorsed, it being noted that the matter of energy is becoming a serious matter in Canada, and energy conservation and saving should be encouraged wherever possible:

> *"Resolved, that in the interest of conserving energy and of increasing productivity, a recommendation be made to the Minister of Energy that the month of April be added to the Daylight Saving Time period, to take advantage of the early morning day light hours"*

CARRIED

Ald. Webb opposed

REPORTS (Cont'd)

Report No. 78 - Chief Administrative Officer

8. That, as recommended by the Industrial Commissioner, the resolution of the Transportation Committee, approved by Council on May 14th 1979, as Clause 3, Report No. 51, which reads as follows be reaffirmed and that the Township of Kingston and the Ministry of Housing be so advised:

"WHEREAS the Kingston Area Planning Board resolved that approval of Official Plan Amendment No. 16 of the Township of Kingston be recommended to the Ministry of Housing, to change the designation from ENVIRONMENTAL PROTECTION AREAS

a) for the area within the proposed subdivision to "LOW DENSITY RESIDENTIAL";

and

b) for the area on the Kingston Airport property, to "AIRPORT"

NOW THEREFORE BE IT RESOLVED that the City of Kingston does not object to Official Plan Amendment No. 16, but recommends that the small triangular shaped land west of the proposed north/south arterial road and adjacent to the Kingston Airport boundary be designated "AIRPORT" to be consistent with the adjacent land on the west and south boundaries of this area."

(See Schedule "G" attached hereto - 13 Pages).

CARRIED

9. The following Notice of Motion was referred to the Committee of the Whole at the Council Meeting held on July 9th 1979:

"That the sum of $10,000.00 be allocated by the City of Kingston as a donation to assist in the relief of refugees from IndoChina. The disposition of these funds will be determined by the special committee being formed by Mayor Keyes and the Kingston Social Planning Council. This amount represents approximately 16¢ per capita.".

(See Schedule "H" - 4 Pages - for a copy of the report of the Chief Administrative Officer, City Solicitor and City Treasurer.)

(See following Motions)

REPORTS (Cont'd)

Report No. 78 - Chief Administrative Officer

9. (Cont'd)

Moved by Ald. Hawkins,
Seconded by Ald. Gerretsen,

That a grant of $8,500 be made as a donation to assist in the relief of refugees from IndoChina with the amount of $1,500 to be donated by members of Council.

LOST 1:13

Moved by Ald. Tarnowecky,
Seconded by Ald. Webb,

That pursuant to Section 248(a) of the Municipal Act, RSO 1970, Chapter 284, a grant in the amount of $10,000 be made by the City of Kingston as a donation to assist in the relief of refugees in IndoChina with the disposition of these funds to be determined by the Kingston Area Refugee Relief Committee, and, that application be made to the Federal Government for equal assistance, and further, that the following budget transfer be approved:

	Increase	Decrease
Finance Contingencies		$10,000
Finance Grants	$10,000	

CARRIED

10. That, as recommended by Mayor Keyes, an amount of $200.00 be granted to the Ontario Hockey Association to provide for a Continental Breakfast for approximately forty guests during the Summer Semi-Annual Executive meetings of the Ontario Hockey Association to be held in the City of Kingston, as a charge to Civic Reception (See attached Schedule "I") (3 pages)

CARRIED

Ald. Webb withdrew at 10:56 p.m. and returned at 10:58 p.m.
Ald. Gerretsen withdrew at 10:55 p.m. and returned at 10:57 p.m.

11. That the City enter into an agreement with Correctional Service Canada, Frontenac Institution, to lease 500 acres of airport land for agricultural purposes commencing June 1st 1979, for a period of two and one-half years and a land use charge of $2,500.00, be approved.

(See attached Schedule "J", 8 pages)

CARRIED AS AMENDED
(See following Motions to Amend)

REPORTS (Cont'd)

Report No. 78 - Chief Administrative Officer

11. (Cont'd)

Moved by Ald. Bishop,
Seconded by Ald. Hawkins,

That Clause 11, Report No. 78, be amended to extend the term of the lease until December 31, 1981.

CARRIED
Ald. Gorham opposed
Ald. Gerretsen opposed
Ald. Clements opposed

Moved by Ald. Clements,
Seconded by Ald. Gerretsen,

That Clause 11, Report No. 78, be amended to provide for a land use charge of $2,500.

CARRIED

12. That, as recommended by the City Solicitor, the attached resolution of the Town of Seaforth petitioning the Attorney General of Ontario to conduct an aggressive and thorough study of time-consuming courtroom procedures prevalent in Ontario courts and further, to analyse sentences being handed down from the bench for various crimes BE NOT ENDORSED.

(See attached Schedule "K", 3 pages)

CARRIED

13. That the attached report of the Commissioner of Industries and Airport Administrator re Proposed amendment No. 14 of the Official Plan of the Township of Kingston be considered. (See attached Schedule "L", 10 pages)

(See following Motion)

REPORTS (Cont'd)

Report No. 78 - Chief Administrative Officer

13. (Cont'd)

Moved by Ald. Hawkins,
Seconded by Ald. Matthews,

That the Ministry of Housing be notified that subsequent to the following action, which was taken at the meeting of City Council held on February 26, 1979, the City received a letter from Transport Canada indicating it was their position not to approve construction of the north south arterial road through airport lands without due consideration and appropriate justification:

> "That, as recommended by the Transportation Committee, subject to the approval of the Department of Transport, the portion of proposed roadway on the North East Corner of airport property, as shown on draft plan of proposed subdivision, Part of Lot 5, Concession I, Township of Kingston, prepared by Smith and Smith, O.L.S. dated March 15, 1978, submitted by Dacon Corporation, be approved, subject to the following conditions:
>
> a) that Dacon Corporation be held financially responsible for construction of such portion of roadway;
>
> b) that the City of Kingston not be held liable for any costs incurred in the construction or maintenance of such portion of roadway;
>
> c) that the small triangular-shaped landlocked portion of land resulting from the construction of such portion of roadway remain vacant;
>
> d) that the City of Kingston be reimbursed by Dacon Corporation for the lands required to construct such portion of roadway, by exhange of lands known on the said plan of subdivision as "other lands" owned by Dacon Corporation;
>
> e) that the Township of Kingston agrees that the City of Kingston will not be assessed for future costs for the construction, maintenance or local improvements connected with the development of the North/South arterial road; and
>
> f) that the Mayor and the Clerk be authorized to execute the necessary agreement."

- and further -

That a copy of the letter from Transport Canada be forwarded to the Ministry of Housing.

CARRIED

REPORTS (Cont'd)

Report No. 78 - Chief Administrative Officer

Ald. Hawkins declared a conflict of interest with Clause 14 as his wife is a member of Local 141, C.U.P.E.

Ald. Hawkins withdrew at 11:35 p.m.
Ald. Lampropoulos withdrew at 11:30 p.m.

14. That further to City Council Meeting No. 27, held July 9th 1979, when an offer was approved for the extension of the Local 141 CUPE agreement for the year 1980 the attached recommendation of the Chief Administrative Officer be approved.

(See attached Schedule "M", 2 pages)

CARRIED 8:4

Ald. Lampropoulos returned at 11:40 p.m.

15. That, as recommended by the Commissioner of Industries and Airport Administrator, and subject to the approval of the Ontario Municipal Board of the necessary funding, Contract A79-42 for the reconstruction and associated lighting of Runway 06R/24L be awarded to Bennett Paving Limited in the amount of $218,716.64, being the lower of two tenders received.

(See attached Schedule "N", 3 pages)

CARRIED

16. That, as recommended by the Commissioner of Industries and Airport Administrator, a By-Law be presented to Council to "Provide for Regulations Respecting the Control of Motor Vehicles, Pedestrians, Aircraft and Equipment at the Kingston Airport".

(See attached Schedule "O" (2 pages). A copy of the proposed by-law was distributed to the members of Council with the agenda).

(See By-Law 4: No. 79-160

CARRIED

Ald. Hawkins returned to the meeting.

Resepctfully submitted,

R. Hamilton,
Chief Administrative Officer.

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 12-4.52

July 17, 1979

MEMORANDUM

TO: Mayor Keyes and Members of Council

FROM: R.J. Hamilton,
C.A.O.

RE: Development Control Agreement
- Bob Martin Construction Co. Ltd.
Queen Mary Road

We are forwarding herewith the following documents concerning this matter.

(1) A letter from N.C. Jackson, City Solicitor to myself dated June 25, 1979.

(2) A reply to the City Solicitor's letter from Mr. G.G. Muirhead, Director of Planning and Urban Renewal dated June 29, 1979, and a reply from D. Graham, P.Eng., Commissioner of Works dated June 28, 1979.

Council will take note that Mr. Good, Solicitor for Mr.Martin is requesting Mr. Jackson to bring this matter to the attention of the Administration and further that City Council would be made aware of the request of Mr. Martin in this regard.

It is noted that Mr. Good, Solicitor for Mr. Martin, had suggested that the passing of a Council resolution indicating that should the property owned by the Cataraqui Region Conservation Authority, on the other side of the road, be developed in future with a need to hook into the services that Mr. Martin is providing, that the new developer would require to pay to Mr. Martin, one-half of the costs of the services that he is presently installing on Queen Mary Road.

The position outlined by Mr. Graham in particular and Mr. Muirhead, indicate that there is really no way that the City could provide any refund to a developer at a later date.

We would have to recommend that Council not pass the said resolution in this regard. It would seem to be that this matter should be discussed between the Cataraqui Region Conservation Authority and Mr. Martin and the City would not be involved in this matter.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
City Solicitor
Our Ref. No. D-33

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

MEMORANDUM

TO: Mr. R.J. Hamilton,
Chief Administrative Officer

FROM: Mr. Norman C. Jackson,
City Solicitor

DATE: June 25, 1979

RE: Development Control Agreement - Bob Martin Construction Co. Ltd. - Queen Mary Road

---

As you are aware, I am finalizing this land sale and have drafted a development control agreement. Under the terms of development control and under the terms of the purchase, Mr. Martin is obligated to construct Queen Mary Road and related services up to the entrance to his development. He has suggested that in accordance with normal practice that the City provide for a collect-back from the owner of the property on the other side of Queen Mary Road, in the event that that property should be developed and be in need of the services which he is presently providing. I indicated to him that such a request, although normal in most circumstances, was affected by the following factors:

1. The property on the other side of Queen Mary Road is owned by the Cataraqui Region Conservation Authority and is presently being used for park land and will, no doubt, continue as same in the future.

2. The provisions of the sale of the subject property by the City to him included the requirement that he provide the services in question.

3. There would be no way to force the abutting land owner to contribute one-half of the cost of the services before hooking in unless there was in existence a one foot reserve on the other side of Queen Mary Road next to the property owned by the Cataraqui Region Conservation Authority.

Notwithstanding these considerations, Mr. Good, solicitor for Mr. Martin, asked me to bring this matter to your attention and to Council's attention so that his request might be heard. He requests the passing of a Council resolution that should the property owned by the Cataraqui Region Conservation Authority on the other side of Queen Mary Road be developed in the future with a need to hook into the services that he is providing, that the developer pay to Mr. Martin one-half of the costs of the services that he is presently installing on Queen Mary Road.

Norman C. Jackson,
City Solicitor

NCJ/ks

JUL - 3 1979

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
Director of Planning and Urban Renewal

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

June 29, 1979.

MEMORANDUM TO: Mr. R.J. Hamilton,
Chief Administrative Officer,
City Hall.

Re: Development Control Agreement - Bob Martin Construction Co. Ltd. - Queen Mary Road

Receipt is acknowledged of your memorandum of June 26th together with a copy of Mr. Jackson's memo to you.

I agree with Mr. Jackson that there is no legal way to require an owner of land on one side of a street to make a contribution towards the cost of services that may be incurred by a developer on the opposite side of the street if development on one side occurs at some later date. This is a not uncommon situation where properties being subdivided on opposite sides of a road are developed at different times and the first developer is obliged to assume the total cost of the services in the boundary road. Owners of property developed subsequently, usually decline to assume the costs incurred by the first subdivider and he may very well get a free ride on the services installed in the boundary road by the first subdivider and this is simply the way the cookie crumbles.

Yours very truly,

G. G. Muirhead

G.G. Muirhead, M.C.I.P.
Director of Planning and
Urban Renewal.

GGM/mm

c.c. Mr. N. Jackson

JUN 29 1979

MEMORANDUM

TO: Mr. R. J. Hamilton,
Chief Administrative Officer

FROM: Doug Graham, P. Eng.
Commissioner of Works

DATE: June 28, 1979

RE: Cost Sharing of Queen Mary Services - Bob Martin

This question has come up many times over the years. The City's position has been that we know of no way that we could provide any refund to a subdivider or developer if services on a boundary street benefit the owner on the other side at a later date.

A recent example was the proposed shopping centre north of 401. The developer had to extend sewer and water from Benson Street to the site on Division Street. CMHC owned the land opposite the shopping centre site on Division. The agreement put the onus on the developer to negotiate any compensation he could with CMHC.

D. Graham, P. Eng.,
Commissioner of Works

DG/jc

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 2-3.5

July 17, 1979

MEMORANDUM

TO: Mayor Keyes and Members of Council

FROM: R.J. Hamilton, C.A.O.

RE: BUDGET TRANSFERS

We are forwarding herewith a reply by Mr. Cousens to the recent request of Alderman Tarnowecky at Council for a written report explaining the transfers. We trust this will enable Council to approve the required transfers.

Council will note that all of the accounts listed are for wages and salaries only, with the greatest amount appropriated to the Police and Fire Departments. Approximately two-thirds of the transfers are for Police and Fire and the balance is for Parks and Recreation and Public Works. Public Works is for $45,000. and Parks is for $18,000. approximately.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

JUL 16 1979

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE City Treasurer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

July 16, 1979

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: B. G. Cousens,
City Treasurer

RE: Budget Transfers

At the last meeting of Council, my recommendation concerning budget transfers to cover the settlements for Local 109, Fire and Police was deferred.

Alderman Tarnowecky stated that he required more information. The one comment he made was that we were transferring money to Equipment Maintenance. I wish to clarify that all of the transfers in my recommendation are to increase wages in the accounts listed in the recommendation.

During Budget discussions, we provided for a 6% wage increase for Local 109 employees and Fire Department employees. The police budget contained an estimate of 8% and subsequently was settled by arbitration at 9 1/2%. Local 109 and Fire were settled at 8%. Since Local 141 were on the second year of a two year contract, we provided 8% in the 1979 Budget to cover this contractual commitment.

It is therefore, necessary to transfer the amounts as set out in my recommendation to cover wages in the various accounts. Finance Contingencies was purposely made greater at the time we approved the Budget to look after this matter.

BGC/jt

B G Cousens

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 17-3

July 17, 1979

MEMORANDUM

TO: Mayor Ken Keyes and Members of Council

FROM: R.J. Hamilton, C.A.O.

RE: Storm Damage - Portsmouth Olympic Harbour

This matter was referred to Mr. Cousens for comment and he suggested that the City transfer the $500.00 from Finance Contingencies since the Olympic Harbour budget was reduced considerably at budget time and the comments by D. Fluhrer are quite in order.

We therefore recommend that Council authorize the said transfer at this time.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

JUL - 9 1979

MEMORANDUM

DEPARTMENT
OF
PARKS AND RECREATION

TO: R. J. Hamilton, C.A.O.

FROM: Douglas R. Fluhrer, Commissioner.

DATE: July 6, 1979.

RE: STORM DAMAGE - SECURITY FENCE - PORTSMOUTH OLYMPIC HARBOUR

The City has use of Federal Penitentiary Land on the east side of the Portsmouth Harbour immediately adjacent to the Penitentiary Wall.

As part of the agreement, surrounding conditions, was that the City and Small Craft Harbours Branch, Federal Ministry of the Environment, share the cost and responsibility of erecting a ten-foot security fence from King St. West to the water's edge.

In a recent storm a portion of the fence at the water's edge was destroyed. This is a very important security tool of the Penitentiary and they are insisting we repair it now. Our insurance does not cover this happening.

In the meantime, we have called quotations for the repairs and the job will cost approximately $1,000. Half of this amount ($500.) is our responsibility and the other half is the Small Craft Harbours Branch.

In light of the contents of the letter from Mr. Scrutton, Director, Regional Reception Centre, (attached), I am having the work done.

As for the money, the Small Craft Harbours Branch will pay their share, but as you know, our Portsmouth Harbour Budget does not have this kind of surplus money.

I am requesting that $500. be placed in our budget to cover this problem.

Douglas R. Fluhrer,
Commissioner.

DRF/sw

c.c. Lee Shipp

Attach.

PARKS AND RECREATION
CITY OF KINGSTON

Solicitor General Canada
Penitentiaries

Solliciteur général Canada
Pénitenciers

JUL - 3 1979

Your file / Votre référence
Our file / Notre référence

28 June 79

Mr. Lee Shipp
Director of Development & Revenue
Department of Parks & Recreation
City Hall
216 Ontario Street
KINGSTON, Ontario

Dear Mr. Shipp:

FENCING - KINGSTON PENITENTIARY

Further to our telephone conversation, may I request that immediate action be taken by the Parks & Recreation Department to replace the fallen part of the fence along the west side of Kingston Penitentiary. The security of the institution may be easily breached along the West Wall and/or South Gate by unscrupulous persons under present conditions. May this subject be treated as urgent, please.

S. M. Scrutton

S.M. Scrutton
Director
Regional Reception Centre (Ont)

Regional Reception Centre (Ont)
Correctional Service of Canada
P.O. Box 22
KINGSTON, Ontario

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 17-11.2

July 17, 1979

MEMORANDUM

TO: Mayor Keyes and Members of Council

FROM: R.J. Hamilton, C.A.O.

RE: PUBLIC UTILITIES COMMISSION
- GAS DEPARTMENT CAPITAL BUDGET 1979

We are forwarding herewith a letter from the Public Utilities Commission requesting an increase in the Capital Expenditure amount of $78,000. which is to be charged to Revenue and Accumulated Revenues of the said Gas Department in 1979.

Council will note that this does not require O.M.B. authorization or approval and as such we recommend that Council authorize this increase to meet their demands at this time.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

JUL 16 1979

P.U.C.
a hydro utility
KINGSTON

PUBLIC UTILITIES COMMISSION
OF THE CITY OF KINGSTON
PHONE 546-1181

ELECTRIC, GAS, WATER AND TRANSIT SERVICES

J. K. FEE, P.ENG., GENERAL MANAGER
A. BOWIE, C.A., SECRETARY-TREASURER

COUNTER STREET
AT LAPPAN'S LANE
P.O. BOX 790
KINGSTON, ONTARIO
K7L 4X7

1979 07 13

Mr. R. Hamilton
Chief Administrative Officer
City Hall
Kingston, Ontario
K7L 2Z3

Dear Mr. Hamilton:

Re: Gas Department Capital Budget 1979

Please refer to your letter of 1979 02 27, (File 17-11.1), advising that City Council had approved proposed Capital Expenditures for the Gas Department in 1979 be charged to Revenue and Accumulated Revenue in an amount of $115,500.

Demand for Gas Service has exceeded the forecasts this year, and at the Regular Meeting on 1979 07 12, the Commission approved an increase in the 1979 Capital Budget for the Gas Department in the sum of $78,000. to meet these requests for gas from citizens and other classes of customers.

This increase is made up as follows:

	Approved	Increase Requested	Revised Capital Budget
Consumer Services	$55,000	$50,000	$105,000
Meters Regulator & Equipment	27,000	28,000	55,000
	$82,000	$78,000	$160,000

No increase is required under the heading of Transmission & Distribution System which remains at $33,500.

We have been advised by TransCanada Pipelines Limited, our supplier, that there is adequate gas to meet these new demands.

May we have Council approval to charge these increases in Capital Expenditures amounting to $78,000. to Revenue and Accumulated Revenue.

Yours truly,

Bowie

A. Bowie
Secretary Treasurer

AB:jm

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 17-2.1

July 13, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. Hamilton,
C.A.O.

RE: WATER TANK TRUCK TRADE-IN - BOARD OF WORKS

We are forwarding herewith a memorandum from Douglas R. Fluhrer requesting that the Parks & Recreation Department purchase the above mentioned vehicle which is being traded in for the purposes of watering trees, floral displays as well as for outdoor rink flooding. This vehicle would be very effective and economical as pointed out by Mr. Fluhrer as compared with hand hose flooding.

We therefore recommend that Council authorize Mr. Fluhrer to purchase this vehicle for the reasons outlined.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

MEMORANDUM

DEPARTMENT
OF
PARKS AND RECREATION

TO: R. J. Hamilton, C.A.O.

FROM: Douglas R. Fluhrer, Commissioner.

DATE: July 5, 1979.

RE: WATER TANK TRUCK TRADE-IN - BOARD OF WORKS

At this rather late date we have discovered that the Public Works Department has traded in its flusher tank truck for a new one. We, in the Parks Department, have long realized the value to our Department in having such a vehicle for the watering of new trees, floral displays and other hard to get at places with no ready water supply.

Further to this, we, through experience with the new speed skating track for the Winter Games, found that outdoor rink flooding with a tank truck is very effective and very economical compared with hand hose flooding.

The trade-in value of this truck is very low ($1,200.), and I am recommending that we buy this vehicle with available funds from our current budget (outdoor rinks) and the tree bank fund.

Your concurrence with this recommendation is solicited.

Douglas R. Fluhrer,
Commissioner.

DRF/sw

PARKS AND RECREATION
CITY OF KINGSTON

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 7-3

July 13, 1979

MEMORANDUM

TO: Mayor and Members of Council

FROM: R.J. Hamilton,
C.A.O.

RE: REQUEST FROM TOWNSHIP OF DOVER

We have received a number of requests concerning flooding and disaster problems in the last few months and Council will recall that we have given a small donation for two communities in Northern Ontario which were for substantial amounts of money. You will recall that the Province had declared a serious disaster area and were willing to contribute on the basis of three to one for these Northern Ontario communities.

In the case of the Township of Dover, the Province is matching dollar for dollar and the amount to be raised is approximately $300,000. This would mean $150,000. is to be raised by the local area governments.

I think it is imperative that we resolve this matter and offer a contribution of $100.00 as the maximum.

We therefore recommend that the City authorize Administration to forward a cheque in the amount of $100. for this purpose.

R.J. Hamilton,
C.A.O.

RJH/sd

Council - To be referred to the C. A. O.

FILE
#7-3

CORPORATION OF THE TOWNSHIP OF DOVER
P.O. Box 217 515 Grand Avenue West
CHATHAM, ONTARIO N7M 5K3
(519) 354-3350

CITY COUNCIL
MEETING OF:
9 JUL 1979

COMMUNICATION
No: 368

June 28, 1979

To: All Municipalities in Ontario

Attention: Head of Council

Dear Sir or Madame:

On March 8 and 9, 1979 the river Thames overflowed its banks, and approximately 8 000 acres of the Township of Dover was severely flooded.

The flood affected nearly 100 families and left many completely homeless.

The situation was viewed by members of the Provincial Government and the entire area was declared a disaster, thereby qualifying for financial aid from the provincial disaster relief fund.

As a result, the people in the affected area submitted claim forms, for essential items amounting to nearly $300 000.00 and it is the responsibility of my Committee to raise funds which will be matched dollar for dollar by the Province to a total of $300 000.00.

To this end, I would respectfully request that you bring this matter to the attention of your council and request that consideration be given to providing financial assistance to the flood victims.

Should you require a more complete documentation of events or any other details which might prove useful in your consideration of this matter, I would be please to repond upon request.

Thanking you in advance for you consideration,

I am,

Sincerely yours,

Rex Crawford

D. G. Rex Crawford
Chairman,
Dover Flood Relief Committee

City of Kingston
RECEIVED
JUL 4 1979
DEPARTMENT OF
THE CITY CLERK

MEMORANDUM

TO: R. J. Hamilton, C.A.O.

FROM: W. D. Stevens, Commissioner of Industries and Airport Administrator

DATE: July 16, 1979

SUBJECT: Proposed Amendment No. 16 to the Official Plan for the Township of Kingston Planning Area
File: Ontario Ministry of Housing 0P0-0008-16
City of Kingston 1-2.1-4
Our File A-4

ORIGIN: Letter dated June 1, 1979, from the Ontario Ministry of Housing, Plans Administration Division, together with copy of Proposed Amendment No. 16 to the Official Plan for the Township of Kingston Planning Area referred by Council Meeting No. 23 for comment, and attached hereto as Schedule "A".

ANALYSIS: Reference Page 1, Section 4. "Basis for the Amendment", Paragraph 3 of Proposed Amendment No. 16 to the Official Plan for the Township of Kingston Planning Area "..... Planning Board has deemed it advisable to amend the Official Plan in order to reflect the true status of the portion of this watercourse which lies in Lot 5, Concession I by replacing the Environmental Protection Areas designation currently applied to these lands with the land use designations which currently abut the watercourse."

At Meeting No. 16 held May 14, 1979, Council approved Report No. 51, Clause 3 as follows:

"WHEREAS the Kingston Area Planning Board resolved that approval of Official Plan Amendment No. 16 of the Township of Kingston be recommended to the Ministry of Housing, to change the designation from ENVIRONMENTAL PROTECTION AREAS

(a) for the area within the proposed subdivision, to "LOW DENSITY RESIDENTIAL"; and

(b) for the area on the Kingston Airport property, to "AIRPORT"

NOW THEREFORE BE IT RESOLVED that the City of Kingston does not object to Official Plan Amendment No. 16, but recommends that the small triangular shaped land west of the proposed north/south arterial road and adjacent to the Kingston Airport boundary be designated "AIRPORT" to be consistent with the adjacent land on the west and south boundaries of this area."

The above information is in accordance with the recommendation in a report prepared by Municipal Planning Consultants engaged by the Township of Kingston, Amendment No. 16 to the Official Plan of the Township of Kingston Planning Area, Mancora Subdivision, Draft Plan April 21, revised June 1, 1978 and September 29, 1978, and discussed at a meeting of the Township of Kingston Planning Board September 13, 1978.

SUBJECT: Proposed Amendment No. 16 to the Official Plan for the Township of Kingston Planning Area cont'd.

ALTERNATIVE: Leave unchanged the EPA designation on the airport land and the small triangular shaped parcel of land adjacent to the airport boundary. However, the EPA designation would be required to remain on the watercourse lands downstream in the proposed Mancora subdivision.

EXISTING POLICY: Review all circumstances related to proposed zone changes by the Township and to assure that such changes are compatible with the designation of abutting lands and in compliance with any regulations of Transport Canada with respect to airport operations.

RECOMMENDATION: Inasmuch as it is proposed the EPA designation will be removed from the upstream section of the watercourse and replaced with the designation "Airport" and the small triangular shaped parcel of land south of the proposed north/south arterial road is adjacent to the airport boundary on two sides, any change in designation of this downstream area should be compatible with the land use designation which currently abuts the watercourse in the upstream area. It is therefore recommended that the resolution of the Transportation Committee approved by Council May 14, 1979, as Clause 3, Report No. 51, be reaffirmed, and that the Township of Kingston and the Ministry of Housing be advised.

Respectfully submitted,

W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

Att.

Ministry of Housing
Plans Administration Division
Ontario

56 Wellesley St. West,
8th Floor
Toronto, Ontario
M7A 2K4

Council — Management [illegible]
Industrial Commission

FILE
#1-201-4

SCHEDULE "A"

CITY COUNCIL
MEETING OF:
11 JUN 1979

COMMUNICATION
No: 319

June 1, 1979

Mr. D. Bass
Chief Administrative Officer
Township of Kingston
Postal Bag 3400
Kingston, Ontario
K7L 4Z4

Subject: Proposed Amendment No. 16 to the Official Plan for the Township of Kingston Planning Area.
Our File: OPO-0008-16.

Dear Mr. Bass:

Circulation and our evaluation of this amendment is now complete.

We have had the opportunity to review the Township's letter of May 8, 1979 in response to our letter of April 11, 1979. As it has now been determined that the quarry, affecting the northern designation change, will be phased out shortly, we have no objections to the change of designation from "environmental protection areas" to "low density residential". Nor do we have any objection to the redesignation from "environmental protection areas" to "airport".

We have, however, received recommendations from the City of Kingston and the Kingston Industrial Commission, that the small triangular shaped land south-west of the proposed north/south arterial road and adjacent to the Kingston Airport boundary be designated "airport". This would be consistent with the adjacent land on the west and south boundaries of the area. (This area has been delineated on the attached photo-copy of Schedule A).

We feel that these concerns should be resolved at the local level. We would suggest, therefore, that the Township contact the City and the Industrial Commission in order to arrive at a mutually satisfactory decision. Because of the above, we are prepared to defer this portion of the amendment at this time and approve the remainder. Should no resolution be achieved at the local level, we will be prepared to entertain a request for referral of this portion of the amendment to the Ontario Municipal Board.

....2

Mr. D. Bass (Cont'd)

By copy of this letter to the City of Kingston and the Kingston Industrial Commission, we are requesting that these parties discuss their concerns with the Township. Should either the City of Kingston or the Kingston Industrial Commission intend to pursue this matter before the Ontario Municipal Board, we would ask that a formal request be made to the Minister of Housing.

In view of the above, we would appreciate being informed how Planning Board and Council intend to proceed with this amendment. If you require any clarification, please call Mrs. Meredith Beresford at 965-6418 in Toronto.

Yours truly,

GMorris

Grant Morris
Senior Planner
Official Plans Branch

c.c. -CPAB - Ottawa

-Township of Kingston
Planning Board

-City of Kingston
Planning Board

-Kingston Area Planning
Board

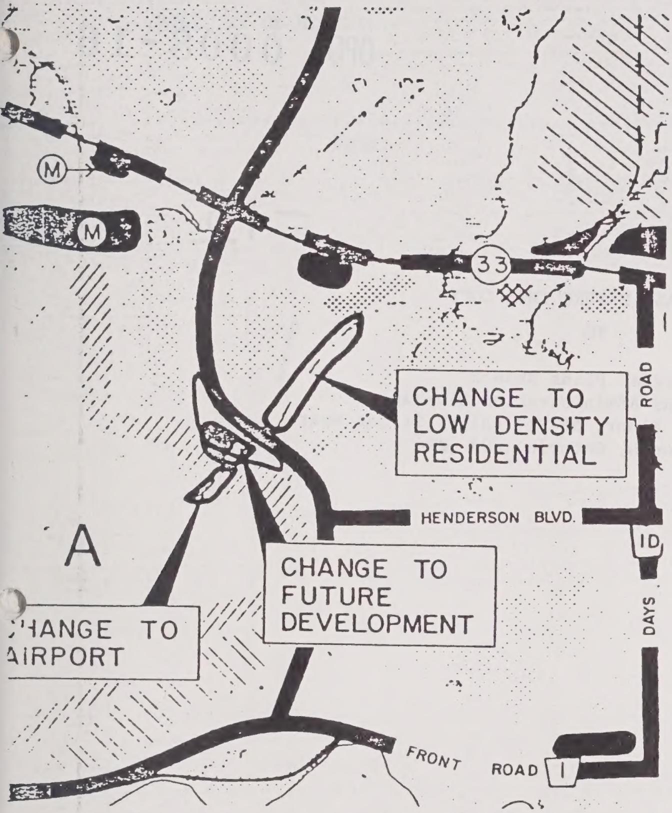
-Clerk - City of Kingston

-Kingston Industrial
Commission

City of Kingston
RECEIVED
JUN 6 1979
DEPARTMENT OF
THE CITY CLERK

SCHEDULE "A"

TO AMENDMENT NO. 16
LAND USE AND ROADS PLAN
OFFICIAL PLAN OF THE TOWNSHIP OF KINGSTON PLANNING AREA

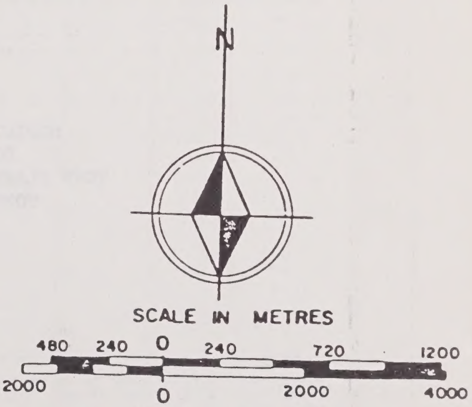

M
M
33
CHANGE TO LOW DENSITY RESIDENTIAL
ROAD
HENDERSON BLVD.
ID
A
CHANGE TO FUTURE DEVELOPMENT
HANGE TO AIRPORT
DAYS
FRONT
ROAD
I

LEGEND

▒	MAJOR RECREATIONAL OPEN SPACE
☰	ENVIRONMENTAL PROTECTION AREAS
░	LOW DENSITY RESIDENTIAL
▒	MEDIUM DENSITY RESIDENTIAL
▓	GENERAL COMMERCIAL
Ⓜ	MARINE COMMERCIA
▩	HIGHWAY COMMERCIA
▨	GENERAL INDUSTRIAL
▧	LIGHT INDUSTRIAL
A	AIRPORT

NOTE: THIS SCHEDULE FORMS PART OF AMENDMENT NO. 16 TO THE OFFICIAL PLAN OF THE TOWNSHIP OF KINGSTON PLANNING AREA AND MUST BE READ IN CONJUNCTION WITH THE WRITTEN TEXT.

NOTE: STREETS NAMES ARE INDICATED FOR INFORMATION PURPOSES ONLY AND DO NOT FORM PART OF THE OFFICIAL PLAN OR THIS AMENDMENT.


N
SCALE IN METRES
480
240
0
240
720
1200
2000
0
2000
4000
SCALE IN FEET

Municipal Planning Consultants

SEPT. 29, 1978
ed: JUNE 1, 1978
ed: APR. 25, 1978
. No. 3971-60-62

AMENDMENT NO. 16 TO THE OFFICIAL PLAN
OF THE TOWNSHIP OF KINGSTON PLANNING AREA

MANCORA SUBDIVISION

OPO 0008-16

-12

PLEASE RETURN THIS COPY
TO

Official Plans Branch
Plans Administration Division
8th Floor, 56 Wellesley Street West
Toronto, Ontario M7A 2K4

MUNICIPAL PLANNING CONSULTANTS
DIVISION OF MPC LIMITED
TOWN PLANNERS PROFESSIONAL ENGINEERS
TORONTO KINGSTON CANADA

APPROVAL OF AMENDMENT

This Amendment to the Official Plan of the Township of Kingston Planning Area, which has been recommended by the Township of Kingston Planning Board and adopted by the Council of the Corporation of the Township of Kingston, is hereby approved pursuant to Sections 14 and 17 of The Planning Act, R.S.O. 1970, as amended, as Amendment No. 16 to the Official Plan of the Township of Kingston Planning Area.

MINISTRY OF HOUSING:

....
Date

(i)

AMENDMENT NO. 16 TO
THE OFFICIAL PLAN
OF THE
TOWNSHIP OF KINGSTON PLANNING AREA

The attached document, constituting Amendment No. 16 to the Official Plan of the Township of Kingston Planning Area, was prepared by the Township of Kingston Planning Board and was recommended to the Council of the Corporation of the Township of Kingston under the provisions of Section 12 of The Planning Act, R.S.O. 1970, as amended, on the .... day of ...., 197 .

TOWNSHIP OF KINGSTON PLANNING BOARD

J. G. Smale .... Max Piribauer ....(SEAL)
Chairman Secretary

This Official Plan Amendment was adopted by the Council of the Corporation of the Township of Kingston by By-law No. .... in accordance with Sections 13 and 17 of The Planning Act, R.S.O. 1970, as amended, on the .... day of ...., 197 .

THE CORPORATION OF THE TOWNSHIP OF KINGSTON

....(SEAL)
Reeve Clerk

I hereby CERTIFY that this is the ORIGINAL/a DUPLICATE ORIGINAL of Amendment No. 16 to the Official Plan of the Township of Kingston Planning Area as adopted by By-law No. .... of the Corporation of the Township of Kingston on the .... day of ...., 197 .

....
Clerk

THE CORPORATION OF THE TOWNSHIP OF KINGSTON

BY-LAW NUMBER ________

The Council of the Corporation of the Township of Kingston, in accordance with the provisions of The Planning Act, R.S.O. 1970, as amended, hereby ENACTS as follows:

1. Amendment No. 16 to the Official Plan of the Township of Kingston Planning Area, being the attached text and Schedule "A", is hereby adopted.
2. The Clerk is hereby authorized and directed to make application to the Minister of Housing for the approval of Amendment No. 16 to the Official Plan of the Township of Kingston Planning Area.
3. This By-law shall come into force and take effect on the day of final passing hereof.

Enacted and passed this .... day of ...., A.D. 197 .

....(SEAL)
Reeve Clerk

Certified that the above is a true copy of By-law No. .... as enacted and passed by the Council of the Corporation of the Township of Kingston on the .... day of ...., 197 .

....
Clerk

AMENDMENT NO. 16 TO THE OFFICIAL PLAN
OF THE TOWNSHIP OF KINGSTON PLANNING AREA

MANCORA SUBDIVISION

DRAFT: APRIL 21, 1978
REVISED: JUNE 1, 1978
SEPTEMBER 29, 1978

TOWNSHIP OF KINGSTON PLANNING BOARD
KINGSTON • ONTARIO

AMENDMENT NO. 16 TO
THE OFFICIAL PLAN
OF THE
TOWNSHIP OF KINGSTON PLANNING AREA

The following text and map, designated Schedule "A" attached hereto, constitute Amendment No. 16 to the Official Plan of the Township of Kingston Planning Area.

Also attached hereto, but not constituting part of the Amendment is Appendix 1 which deals with the public involvement associated with this Amendment.

SCHEDULE "A"

1. TITLE

This text and attached Schedule "A" constitute Amendment No. 16 to the Official Plan of the Township of Kingston Planning Area.

2. PURPOSE

The purpose of this Amendment is to alter the land use designations on the lands shown on Schedule "A" attached hereto in order to permit the development of Low Density Residential uses in a portion of a draft plan of subdivision known locally as the Mancora Subdivision which bears Ministry of Housing File Number 10T-23737.

3. LOCATION

This Amendment applies to lands located in parts of Lot 5, Concession I, of the Township of Kingston as shown on Schedule "A" attached hereto.

4. BASIS FOR THE AMENDMENT

The lands affected by this Amendment are presently designated in part as Environmental Protection Area on Schedule "A" to the Official Plan, and were designated as such by Ministerial Modification in the context of the approval of the Official Plan on July 3, 1974. Planning Board has received a request to redesignate these lands to Low Density Residential.

In reviewing the application that resulted in the preparation of this Amendment, Planning Board has noted the assurance of the Township Engineer that the intermittently flowing ditch which constitutes the watercourse in the area can be contained in a storm sewer. It has also been noted that this sector of the Municipality is covered by flood plain mapping which does not assign flood plain status to the subject watercourse.

In view of the foregoing, Planning Board has deemed it advisable to amend the Official Plan in order to reflect the true status of the portion of this watercourse which lies in Lot 5, Concession I by replacing the Environmental Protection Areas designation currently applied to these lands with the land use designations which currently abut the watercourse. In the context of this review it was also noted that the presently proposed alignment of the North-South Arterial Road, which abuts and cuts across the Mancora lands, is such that the development of any lands between this road and the airport property for General Commercial purposes would be impractical and undesirable. Consequently the General Commercial designation is being deleted in favour of a Future Development designation.

Revised: June 1, 1978.
September 29, 1978.

5. DETAILS OF THE AMENDMENT

(1) Section 3 of the Official Plan of the Township of Kingston Planning Area is hereby amended by the addition thereto of the following new Subsection:

"(19) FUTURE DEVELOPMENT

The Future Development classification of land shall mean that the use of the land shall be for future development purposes and that any development, except for uses permitted in ALL AREAS by virtue of Subsection 20 of Section 3 hereof, shall require an Amendment to this Plan."

(2) Subsection 19 of Section 3 of the Official Plan of the Township of Kingston Planning Area is hereby renumbered as Subsection 20.

(3) Subsection 20 of Section 3 of the Official Plan of the Township of Kingston Planning Area is hereby renumbered as Subsection 21.

✓ (4) The Land Use and Roads Plan, being Schedule "A" to the Official Plan of the Township of Kingston Planning Area, is hereby amended by designating as "Low Density Residential" the area shown on Schedule "A" attached hereto as "CHANGE TO LOW DENSITY RESIDENTIAL".

(5) The Land Use and Roads Plan, being Schedule "A" to the Official Plan of the Township of Kingston Planning Area, is hereby amended by designating as "Airport" the area shown on Schedule "A" attached hereto as "CHANGE TO AIRPORT".

✓ (6) The Land Use and Roads Plan, being Schedule "A" to the Official Plan of the Township of Kingston Planning Area, is hereby amended by designating as "Future Development" the area shown on Schedule "A" attached hereto as "CHANGE TO FUTURE DEVELOPMENT".

6. IMPLEMENTATION

This Official Plan Amendment shall be implemented in accordance with the Implementation Policy contained in Section 6 of the Official Plan of the Township of Kingston Planning Area.

7. INTERPRETATION

This Official Plan Amendment shall be interpreted in accordance with the Interpretation Policy contained in Section 7 of the Official Plan of the Township of Kingston Planning Area.

(2)

Revised: June 1, 1978.
September 29, 1978.

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 3-6

July 19, 1979

MEMORANDUM

TO: Mayor Keyes and Members of Council

FROM: R.J. Hamilton,
C.A.O.

RE: NOTICE OF MOTION - ASSISTANCE TO INDOCHINESE REFUGEES

We are enclosing herewith reports from Norman C. Jackson, City Solicitor and Mr. B.G. Cousens, Treasurer, concerning the proposal to donate $10,000. for the relief of refugees from Indo-China.

Council will note from Mr. Jackson's letter that in his opinion Council have the powers to make a grant and that the resolution pertaining to this should contain the recital as suggested by Mr. Jackson. Mr. Cousens has pointed out the fact that this particular amount would indeed have to be charged to Finance Contingencies if Council so wishes to support the amount.

Council should also take note that the Federal Government has announced changes in it's approach, whereby they are willing to match dollar for dollar, efforts made by individuals and/or groups who are in fact supporting this endeavour.

It would perhaps be in the interest of Council to support the Notice of Motion but a few conditions would seem to be in order primarily to enable the City of Kingston to qualify for equal Federal Government assistance.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

JUL 19 1979

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE City Solicitor

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. L-16

MEMORANDUM

TO: Mr. R. J. Hamilton,
Chief Administrative Officer.

FROM: Norman C. Jackson,
City Solicitor.

DATE: July 19, 1979

RE: NOTICE OF MOTION - ASSISTANCE TO INDOCHINESE REFUGEES

You have asked whether the City has legal authority to provide funds concerning the above.

Under paragraph 46 of Section 352 of The Municipal Act, there was a specific provision to provide funds for disaster relief. This paragraph was, however, repealed in 1975. However, the legislature of Ontario, in the same year, 1975, enacted an amendment to The Municipal Act giving the municipality a very general power to make grants. This section of The Municipal Act, 248(a), states that:

> "notwithstanding any special provisions in this Act, or in any other general Act or special Act, the Council of every municipality may, subject to Section 248, make grants on such terms and conditions as to the security and otherwise as the council may consider expedient, to any person, institution, association, group or body of any kind, including a fund within or outside the boundaries of the municipality, for any purpose that, in the opinion of the council, is in the interest of the municipality."

The subject provision, Section 248, does not allow the granting of bonuses in aid of any manufacturing, industrial, or commercial enterprise, but otherwise the council has the

........./2

Mr. R. J. Hamilton
Re: Notice of Motion - Indochinese

July 19, 1979

Page Two.

---

complete jurisdiction to determine to whom it may make a grant, the terms upon which the grant may be made, and there is explicitly stated to be no limitation on whether the group must reside within or outside the boundaries of the municipality.

Accordingly, should City Council deem it expedient to make a grant to a group of Indochinese Refugees, as long as Council also, in its opinion, considers that the grant is in the interest of this municipality, then City Council does have the legal authority to provide funds as set out in the Notice of Motion.

I would suggest that the Notice of Motion be slightly amended to provide any terms and conditions that Council may consider expedient, and also the Notice of Motion should contain a reference that, in the opinion of Council, such a grant is in the interest of this municipality. The resolution could contain a recital that the grant is being made pursuant to Section 248(a) of The Municipal Act, R.S.O. 1970, Chapter 284.

NCJ:dg

Norman C. Jackson,
City Solicitor.

c.c. to: Mrs. Marion Houghton,
Acting City Clerk (Pro Tempore);

Mr. Bernard Cousens,
City Treasurer

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE City Treasurer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

July 16, 1979

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: B. G. Cousens,
City Treasurer

RE: Refugees from Indo-China

In reply to a memorandum dated July 11th from Mrs. Houghton concerning the Notice of Motion that a donation of $10,000.00 be made by the city for the relief of refugees from Indo-China, I wish to advise that if the Notice of Motion is approved, it would be necessary to transfer this money from Finance Contingencies. At the moment Finance Contingencies will have a balance of $136,740. after allowing for transfers for wage increases for local 109, fire and police.

BGC/jt

B G Cousens

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 7-3

July 20, 1979

MEMORANDUM

TO: Mayor Keyes & Members of Council

FROM: R.J. Hamilton,
C.A.O.

RE: GRANT - ONTARIO HOCKEY ASSOCIATION

A request has been received from Mr. Paul D. Hoag, Director of the Ontario Hockey Association for a grant to assist with the hosting of the Summer Semi-Annual Executive meetings being held in Kingston on August 10, 1979.

I have discussed this matter with Mayor Keyes and would therefore recommend the amount of $200.00 be granted to this organization to provide for a Continental Breakfast for approximately forty guests.

R.J. Hamilton,
C.A.O.

RJH/sd

AND TO Mayor Ken Keyes

CORPORATION OF THE CITY OF KINGSTON

FROM R.J. Hamilton	DEPT. OF ORIGINATOR C.A.O.	DATE July 17, 1979	
SUBJECT Ontario Hockey Association		RE:	

We have reviewed the letter from Paul D. Hoag and it would seem to me that the $400. request is a bit beyond our normal approach to these matters. I would think perhaps if Council awarded a value of up to $200. in this instance it would seem to be more appropriate.

We would therefore recommend that Council so authorize the above figure of $200.00.

R.J. Hamilton,
C.A.O.

REPLY
I'll speak to Paul Hoag + suggest the $200 which we would recommend to Council for Monday night. I would also ask for the specific function towards which this donation might be directed

"Provincial for a Continental Breakfast" for 40 guests

SIGNATURE Ken
DEPARTMENT
DATE OF REPLY

S1 - E1

SENDER: RETAIN PART 2 **REPLIER:** RETURN LAST PART ▶ USE STANDARD No. 9 OR 10 WINDOW ENVELOPE.

ONTARIO HOCKEY ASSOCIATION

President:
LARRY BELLISLE
PENETANG

Immediate Past President:
HUGH McLEAN
LONDON

First Vice President:
WILLIAM RUDDOCK
TORONTO

Second Vice President:
PAT DOHERTY
KITCHENER

Third Vice President:
JIM KING
GUELPH

Executive Committee:
BOB MacKINNON
OAKVILLE

H.L. "BUD" MILLER
CALEDONIA

HOWIE STEVENSON
LAKEFIELD

DANNY POLAND
BRACEBRIDGE

DON BROOKER
DRESDEN

LARRY CLARK
TORONTO

PAUL HOAG
KINGSTON

DAVID BESSE
WATFORD

KEN DUNLOP
PORT ELGIN

PHIL VITALE
PRES. M.T.H.L.

CARLO CATTERELLO
PRES. N.O.H.A.

AL MOORE
PRES. O.M.H.A.

Secretary-Manager
BRENT LADDS
24 MERTON ST.
TORONTO, ONT.
M4S 1A2
PHONE: 487-8129

July 4, 1979

Mr. Ken Keyes, Mayor
City of Kingston
City Hall
Kingston, Ontario

Dear Mr. Keyes:

For the first time in the 90 year history of the Ontario Hockey Association, Kingston will serve as host for the Summer Semi-Annual Executive meetings.

On August 10/79, executive members and their wives from across the province will converge on the city for a weekend of meetings and relaxation.

As an executive member of the OHA and co-ordinator of the activities in August, I am writing this letter to solicit the city's support in making this August weekend a memorable event.

47 persons

It would be much appreciated if the City of Kingston could donate $400. to be utilized for a hospitality event during the weekend. As co-ordinator, I will ensure any monies received will be channeled into a hospitality function where maximum exposure ca be attained for the city. Naturally, representation from your offic would be appreciated.

The OHA is a non-profit organization, serving as the administrat body for all amateur hockey in the Province of Ontario including Kingston's "Kingston Minor Hockey Assc." and "Church Athletic League'

I think it rather appropriate, that Kingston, recognized as the birthplace of hockey, should have the opportunity to host this event.

As many participants in this weekend have never been to Kingston the city's involvement may aid in producing future dividends as it pertains to our tourist industry.

Please accept in advance, my sincere thanks for your anticipated co-operation.

Yours truly,
Ontario Hockey Association

Paul Hoag
Paul D. Hoag
Director

PDH:jd

ANNUAL MEETING APRIL 28, 1979

Paul Hoag
DIRECTOR

(613) 389-8035

974 Amberdale Cres.
Kingston, Ontario
K7M 6V3

546-0414

ONTARIO HOCKEY ASSOCIATION

JUL [illegible]

MEMORANDUM

TO: R. J. Hamilton, C.A.O.

FROM: W. D. Stevens, Commissioner of Industries and Airport Administrator

DATE: July 16, 1979

SUBJECT: AIRPORT - Lease - Land Improvement Program
- CORRECTIONAL SERVICE OF CANADA Frontenac Institution
- Our File No. A-4
- City Solicitor's File No. L-116

ORIGIN: Request from Frontenac Institution, Agriculatural Operations, regarding the possibility of airport land being available for forage cropping.

ANALYSIS: The agricultural operations of the Lessee will include plowing, cultivation, fertilization and improving the general condition of the land for crop production, cutting of grass and weeds, etc. from accessible areas. It is proposed that land-start be summer fallow this year, for planting and seeding in 1980.

The proposed term of lease is from June 1, 1979, to May 31, 1981. Attached as Schedule "A" is a copy of the proposed lease agreement with Correctional Service of Canada, Frontenac Institution, which has been prepared by the City Solicitor.

EXISTING POLICY: Since 1975 and until May of this year, when a Surrender of Lease was granted by Council to Mr. William Craig Coupland, 500 acres of airport land had been under lease for agricultural purposes.

NOTE: Report No. 57, Clause 15 approved Surrender of Lease Agreement by Wm. Craig Coupland for agricultural use of airport land, inasmuch as terms of the agreement were not fulfilled.

FINANCIAL CONSIDERATIONS: The proposed lease rate of $2,000.00 and Provincial Farm Tax Rebate (whereby approximately 50% of the realty tax is refunded so long as the land is used for agricultural purposes) will return to the City the realty tax assigned to this 500 acre parcel of airport land.

RECOMMENDATION: That an agreement with Correctional Service of Canada, Frontenac Institution, to lease 500 acres of airport land for agricultural purposes commencing June 1, 1979, for a period of two years and a land use charge of $2,000.00, be approved.

Respectfully submitted,

W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

Att.

SCHEDULE "A"

THIS AGREEMENT MADE the 19th day of July, 1979.

BETWEEN:

THE CORPORATION OF THE CITY OF KINGSTON

(hereinafter called the "Lessor")

OF THE FIRST PART

- and -

CORRECTIONAL SERVICE OF CANADA
FRONTENAC INSTITUTION

(hereinafter called the "Lessee")

OF THE SECOND PART

WITNESSETH that the Lessor, in consideration of the rents, covenants, provisos and conditions hereinafter reserv and contained, hath demised and leased, and by these present doth demise and lease unto the Lessee:

ALL AND SINGULAR that certain parcel of land (hereinafter referred to as "the said land") consisting of approximately Five Hundred Acres (500) situate, lying and being in the Province of Ontario, in the County of Frontenac, being Part of Lots 2, 3, 4 and 5, Concession I, in the Township of Kingston as designated tillable from time to time and within the area shown outlined in red on the sketch attached hereto as Schedule "A", for agricultural use. Agricultural operations cannot take place within 100 feet of the edge of the runway, and 300 feet of the end of the runway except f areas authorized by the Airport Administrator. For purposes of this agreement, the centreline shall extend 300 feet beyo each end of the runways.

IT IS HEREBY AGREED BETWEEN THE PARTIES AS FOLLOWS:

......./2

1. That the term of this lease shall be for a period of two (2) years, commencing the first day of June, 1979, and during the first year of this lease the Lessee will cut the weeds, grass, etc. from all accessible areas and undertake land cultivation in preparation for crop production in 1980.

2. That from June 1, 1979 to May 31, 1981, the Lessee shall be entitled to all crops obtained from the said land.

3. That, commencing June 1, 1980, and until the expiry of the term of this lease:

(a) The Lessee shall pay to the Lessor a land use charge in the amount of Two Thousand Dollars ($2,000.00) for the period from June 1, 1979 to May 31, 1981, payable on June 1, 1980.

4. That the Lessee shall establish a plan of land cultivation and crop rotation for the said land, acceptable to the Airport Administrator.

5. That the areas for cultivation shall be mutually agreed upon by the Airport Administrator and the Lessee.

6. That the Lessee shall, in all respects, abide by and comply with all lawful rules, regulations and by-laws of the municipalities and other governing bodies in any manner affecting the said land and right and privilege.

7. That the Lessee shall not make any assignment of these Presents, nor any transfer or sub-lease of any of the said lands, rights, or privileges demised or leased hereunder, without obtaining the consent in writing of the Lessor to such assignment, transfer or sub-lease.

......./3

8. That the Lessor, its servants or agents, shall, at all times and for all purposes, have full and free access to any any every part of the said land.

9. That the said land shall be used for agricultur purposes only and for no other purpose or purposes whatever.

10. That the Lessee shall not have any claim or dem against the Lessor for accident, detriment, damage, injury o loss of any nature whatsoever or howsoever caused to any person or property, including any crop, motor or other vehicles farm implements, materials, supplies, articles, effects or things at any time brought, placed, made or being on or abou the said land, unless such damage or injury is due to the negligence of any officer of the Lessor while acting within scope of his duties or employment.

11. That the Lessee shall not, during the currency of this lease, do, suffer or permit to be done any act or thing, that may impair, damage or injure the said land, and shall, at his own cost and expense, well and sufficiently repair, maintain and keep in good and substantial repair the said land and all fixtures and things thereto belonging, or which at any time during the said term shall be erected or made by the Lessor or the Lessee, all to the satisfaction of the Lessor.

12. That the said land or any part thereof shall be used for grazing purposes.

13. That no buildings or structures whatever, including stacked hay, shall be erected by the Lessee on the s land, and no crops, machinery or equipment shall be left in such a manner as to be hazardous to aircraft in any way.

......../4

14. That the Lessee shall, at all times during the term hereof, cultivate, use and manage in a proper husbandlike manner, including fertilization, the said land, and shall use his best endeavour and approved method of husbandry to prevent soil drifting and to prevent the growth of, and to exterminate, all noxious weeds on the said lands.

15. That the Lessee shall not construct, erect, place or install on the said land any poster, advertising sign or display, without first obtaining the consent, in writing, of the Lessor.

16. That if at any time or times during the currency of this lease, any damage or injury should be occasioned to the said land from any cause whatsoever, or to any other works or property of the Lessor, at Norman Rogers Airport, by reason of or on account of the operations of the Lessee, or any action taken or things done or maintained by virtue thereof then, and in every such case, the Lessee shall, immediately upon notice thereof from the Lessor, given either verbally or in writing, repair, rebuild and restore the same to the entire satisfaction of the Lessor, or the Lessor may, at his option, repair such damage or injury, in which case the Lessee shall, upon demand, forthwith repay and reimburse the Lessor for all costs and expenses connected therewith or incidental thereto.

17. The cultivation on the said land shall be carried out in such a manner as not to interfere with the operation of the Underground Cables and Utility Poles and the Lessor, its servants or agents, shall at all times have full and free access to the said Approach Lighting System for maintenance purposes.

18. That the Lessee shall, at all times, indemnify

......../5

and save harmless the Lessor from and against all claims and demands, loss, costs, damages, actions, suits or other proceedings by whomsoever made, brought or prosecuted, in any manner based upon, occasioned by or attributable to the execution of these Presents, or any action taken or things done or maintained by virtue hereof, or the exercise in any manner of rights arising hereunder.

19. That notwithstanding anything in this lease contained, if the land use charge above reserved, or any part thereof, shall be in arrear, or unpaid whether or not the same shall have been in any manner demanded, or in case default, breach or non-observance is not cured within fifteen days from the date of notice in writing thereof from the Lessor to the Lessee, the Lessor may terminate this lease by giving to the Lessee thirty days' notice in writing, and either delivered to the Lessee or any officer of the Lessee, or mailed addressed to the last known place of business or office of the Lessee, and thereupon, after the expiration of such period of notification, this lease shall be terminated and ended.

20. That, notwithstanding anything in this lease contained, if the land use charge above reserved or any part thereof, shall be in arrear, or unpaid for thirty days next after any of the days or times hereinbefore appointed for the payment thereof, whether or not the same shall have been in any manner demanded or in case default, breach or non-observance be made or suffered by the Lessee at any time or times, in, or in respect of any of the covenants, provisos, conditions and reservations herein contained, which on the part of the Lessee ought to be observed or performed, then, and in every such case it shall be lawful for the Lessor, its servants or agents, to re-enter and thereafter to have, possess and enjoy the said land and all improvements thereon.

......../6

And no acceptance of rent subsequent to any breach or default, other than non-payment of rent, nor any condoning, excusing or overlooking by the Lessor on previous occasions of breaches, or defaults similar to that for which re-entry is made shall be taken to operate as a waiver of this condition.

21. That, should the Lessee wish to renew this lease at the end of the two years, he shall notify the Lessor in writing of such intention by December 31, 1980. The Lessor agrees to give the Lessee the first right of refusal for a new lease of five years; terms of the new lease to be negotiat

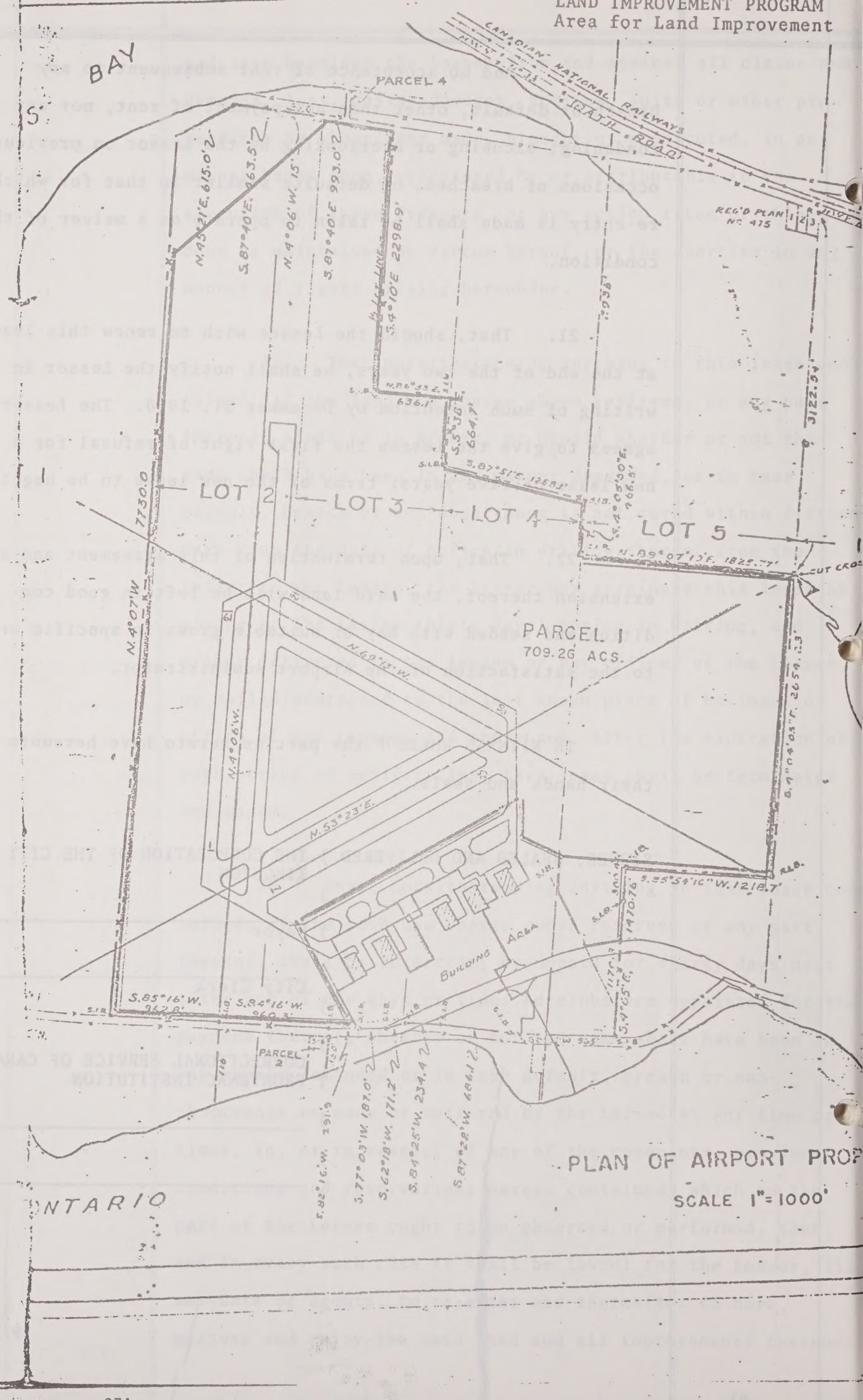
22. That, upon termination of this agreement and any extension thereof, the said land will be left in good condition and seeded with hay or suitable grass in specific areas, to the satisfaction of the Airport Administrator.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals.

SIGNED, SEALED AND DELIVERED) THE CORPORATION OF THE CITY OF KINGSTON
)
) Mayor
)
City Clerk
)
)
CORRECTIONAL SERVICE OF CANADA
) FRONTENAC INSTITUTION
)
)
)

SC DULE "A"

NORMAN ROGERS AIRPORT, Kings
LAND IMPROVEMENT PROGRAM
Area for Land Improvement


BAY
S
PARCEL 4
CANADIAN NATIONAL RAILWAYS
HWY
PATH ROAD
REG'D PLAN NO. 475
N.45°21'E. 615.0'
S.87°40'E. 263.5'
N.4°06'W. 15'
S.87°40'E 993.0'
S.4°10'E 2298.9'
N.86°33'E.
636.1
S.5°38'E 664.7'
S.87°51'E. 1258
S.4°05'30"E 766.9'
3122.54'
N.4°07'W. 7730.0
LOT 2
LOT 3
LOT 4
LOT 5
N.89°07'13"E. 1825.77'
CUT CROSS
PARCEL 1
709.26 ACS.
N.49°13'W.
N.4°06'W.
N.53°23'E.
S.4°04'05"E. 2659.23'
S.85°54'10"W. 1218.7
1470.76
BUILDING AREA
S.4°05'E.
S.85°16'W. 962.8
S.84°16'W. 960.3
PARCEL 2
S.82°16'W. 291.9
S.77°03'W. 187.0'
S.62°18'W. 171.2'
S.84°25'W. 234.4'
S.87°22'W. 686.1'
ONTARIO

PLAN OF AIRPORT PROP

SCALE 1"=1000'

CITY COUNCIL
MEETING OF:
11 JUN 1979

Council - To be referred to the C.A.O.

FILE #19-7

COMMUNICATION
No: 321

JOHN SINNAMON
Mayor

JAMES CROCKER A.M.C.T. (A)
Clerk

TOWN OF SEAFORTH

PHONE: (519) 527-0160

P.O. BOX 610
SEAFORTH, ONTARIO
N0K 1W0

TO: ALL MUNICIPALITIES IN ONTARIO;

I have been instructed to send you a copy of the following resolution which was passed by Council at its regular meeting held May 14th.

Properly moved and seconded;

" WHEREAS it appears that there are numerous delays in Ontario Courts, quite often caused by unnecessary remands,

AND WHEREAS witnesses, municipal and provincial police often spend many hours sitting in court, at the expense of taxpayers, only to discover that the case for which they are in attendance has been remanded,

AND WHEREAS the Corporation of the Town of Seaforth is of the opinion that the courts are often too lenient in punishing many persons found guilty of crimes,

AND WHEREAS it appears that such lenient punishment by the courts does not act as a deterrent,

AND WHEREAS it appears that in many cases no restitution is made by persons found guilty of certain crimes, and the Town of Seaforth is of the opinion that restitution should be made to persons suffering property damage,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Corporation of the Town of Seaforth petition the Attorney General of Ontario to conduct an aggressive and thorough study of time-consuming courtroom procedures prevalent in Ontario courts and further, to analyse sentences being handed down from the bench for various crimes."

The Council requests your comments and endorsement of this resolution, and if so endoresed that a copy be forwarded to the Attorney General's Office, to your local member of the Provincial Legislative Assembly, the Association of Municipal Police Governing Authorities and to the Association of Municipalities of Ontario

Yours very truly,

James Crocker

James Crocker, AMCT (A)
Clerk-Treasurer

City of Kingston
RECEIVED
JUN 6 1979
DEPARTMENT OF
THE CITY CLERK

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 19-7

July 19, 1979

MEMORANDUM

TO: Mayor Ken Keyes & Members of Council

FROM: R.J. Hamilton,
C.A.O.

RE: Resolution of the Town of Seaforth
Study of Courtroom Procedures

We recommend that Council not endorse this said resolution as per the comments from Mr. Norman C. Jackson, City Solicitor attached hereto.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

JUL 19 1979

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
City Solicitor
Our Ref. No. L-16

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

MEMORANDUM

TO: Mr. R.J. Hamilton,
Chief Administrative Officer

FROM: Mr. Norman C. Jackson,
City Solicitor

DATE: July 19, 1979

RE: Resolution of the Town of Seaforth
Study of Courtroom Procedures

Respecting the above, at your request, I would comment as follows.

I agree with the resolution insofar as it states that court procedures are time consuming and insofar as it states that restitution should be made to persons suffering property damage. I do not agree with the resolution where it states that delays in courtroom procedure are caused by unnecessary remands. Adjournments are made by the bench after hearing the reasons therefore from both the prosecution and the defence. Remands are often made in the best interests of giving the accused a fair trial. I also do not agree that courts are necessarily too lenient in dealing with punishment. Before such a broad statement could be agreed with, there would have to be a survey done. Even with a survey, I believe each case has its own unique set of circumstances and it is therefore difficult to state generally that courts are often too lenient in punishing those guilty of crimes.

The resolution calls for a petition to the Attorney General to study time consuming courtroom procedures. I would point out that the Attorney General has been responsible for putting forth a bill to the Legislature, entitled An Act to Establish a Code of Procedure for Provincial Offences. The intent of this Act, Bill 74, which has been given third reading but which is not yet in full force and effect, is to provide a more expeditious manner of dealing with minor offences, and included in this group will be municipal by-law offences. Delays in the court now are, in the minds of the province, caused as much by the large number of minor offences, such as traffic offences, which are necessarily processed by the courts.

This Bill, a copy of which is enclosed, should act to speed up the processing of minor offences, thereby allowing the court system more time to deal with more serious offences.

Norman C. Jackson,
City Solicitor

NCJ/ks
Enclosure

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 21-4.11

July 20, 1979

MEMORANDUM

TO: Mayor Keyes & Members of Council

FROM: R.J. Hamilton,
C.A.O.

RE: PROPOSED AMENDMENT NO. 14 to the Official Plan for the Township of Kingston Planning Area

---

We are forwarding herewith various correspondence concerning this matter as set out by Mr. Stevens for Council's background.

City Council conditionally approved the location of the North-South Arterial Road subject to Transport Canada at a Council Meeting of February 26, 1979 which is attached. In addition, the City received a letter from Transport Canada which is attached, to indicate that it was their position not to approve this road through airport lands without due consideration and appropriate justification.

We therefore draw to City Council's attention the fact that Mr. Stevens, in his report, is suggesting that we file an objection to Amendment No. 14. However, it would seem to be a better approach to notify the Minister of Housing of the fact that Transport Canada have not approved of the earlier action by City Council without using the objection process as suggested by Mr. Stevens.

We would therefore suggest that a letter be forwarded to the Minister of Housing outlining the City's position at this time which is of course subject to action by Transport Canada.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer

FROM: W. D. Stevens, Commissioner of Industries
and Airport Administrator

DATE: July 16, 1979

SUBJECT: Proposed Amendment No. 14 to the Official Plan for the Township of Kingston Planning Area
File: Ontario Ministry of Housing 0P0-008-14
City of Kingston 1-2.1-4
Our File A-4

ORIGIN: Letter dated June 26, 1979, from the Ontario Ministry of Housing, Plans Administration Division, together with Proposed Amendment No. 14 to the Official Plan for the Township of Kingston Planning Area referred by Council Meeting No. 28 for comment, and attached hereto as Schedule "A".

ANALYSIS: A review of the text "Amendment No. 14" and Schedule "A" "Land Use and Roads Plan" insofar as these documents relate to the airport land and the location of the proposed north/south arterial road between the Front Road and Highway No. 33, points out the need for additional information to define clearly the proposed road location east of the airport.

Clause 5 "Details of the Amendment", item (1) "General", page (3) revised December 21, 1978 first paragraph, refers to the location of the proposed two-lane arterial road as being east of the airport, while Schedule "A", revised December 21, 1978, does not include a revision or reflect any change in the location of the north/south arterial road, with respect to crossing the airport, as shown on previous plans. This uncertainty should be removed.

It is further noted that should the road be allowed to cross airport land, any restriction affecting development of the airport to meet the unknown demands of the future or the installation of air navigational aids, instrument landing system (ILS), will be reflected in the airport operating license which is issued by Transport Canada on an annual basis.

ALTERNATIVES:

(a) Not extend the proposed north/south arterial road south of Highway No. 33; and

(b) Relocate that portion of the proposed north/south arterial road outside and around the northeast corner of the airport to intersect with Henderson Blvd.

EXISTING POLICY: It is required by Transport Canada that any proposed use of airport land be referred to the appropriate Branch for approval. Any use that would result in the reduction of airport boundaries, particularly in those areas considered critical with respect to Civil Aviation and Air Regulation requirements, are discouraged. The repeated requests to Transport Canada concerning the north/south arterial road crossing under the approach path to Runway 24L were not approved.

/2

TO:	R. J. Hamilton, C.A.O.	July 16, 1979
SUBJECT:	Proposed Amendment No. 14 to the Official Plan for the Township of Kingston Planning Area cont'd.	

FINANCIAL CONSIDERATIONS: There is no cost involved to the City, but the request for clarification of the point of concern in the proposed Amendment No. 14. However, the availability of the airport facility and its capability to meet the needs of the community will be reflected in the economy of the City and the Greater Kingston area.

RECOMMENDATION: That Council file an objection to Amendment No. 14 to the Official Plan of the Township of Kingston Planning Area and request that the Official Plan of the Township of Kingston be revised with sufficient detail to ensure there can be no misunderstanding regarding the location of the north/south arterial road east of the airport.

NOTE: The Ministry of Housing have requested that any comment be sent within 30 days from June 26, 1979.

Respectfully submitted,

W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

Att.

Transport Canada Transports Canada

Airports & Properties Branch
4900 Yonge Street
Willowdale, Ontario
M2N 6A5

Your file Votre référence

April 27, 1979

Our File Notre référence 5151-161
(OAOP)

Mr. R. J. Hamilton,
Chief Administration Officer,
Corporation of the City of Kingston,
City Hall,
Kingston, Ontario,
K7L 2Z3.

Dear Mr. Hamilton:

Re: Proposed Arterial Road, Kingston Airport

This refers to the letter of 28 February, 1979, in which your predecessor, Mr. T. J. McKibbon, requested confirmation of whether or not the location of the proposed road in the north-east corner of the airport property is acceptable to Transport Canada.

Existing land use north-east and east of the airport indicate that these lands have been zoned as residential. Therefore, a potential number of residential lots will, (to some degree), be affected by aircraft noise; This will be particularly so should the east-west runway 06L-24R be extended easterly to 4000 feet in length. As such it would be unsound planning practice to allow construction of an arterial road if the main intent of this road is to serve residential development in close proximity to the airport.

Had land use in this area been zoned industrial/commercial, then this office would have a favourable argument in approaching the Federal Treasury Board Land Management Committee to seek an Order in Council amending the existing Letters Patent granted to the Corporation of the City of Kingston.

The Grant was to the Corporation, as grantee, for so long as the said lands are continuously used as an airport. If this road does not serve the original purpose of the Grant, then, to allow such a use could be a violation of the terms of the original conveyance and present a problem.

To this end, it is Transport Canada's position not to approve construction of the arterial road through airport lands without due consideration and appropriate justification.

Yours truly,

S Livingston

S. E. Livingston
Regional Manager
Airports & Properties.

KINGSTON INDUSTRIAL COMMISSION

CITY HALL, KINGSTON, ONTARIO, CANADA
K7L 2Z3

W. DAVID STEVENS
Commissioner of Industries

(613) 546-4291 and 546-1232

July 13, 1979

DELIVERED BY HAND

Mr. D. A. Gordon, Clerk
Township of Kingston
Postal Bag 3400
Kingston, Ontario
K7L 4Z4

Re: Township of Kingston By-Law 79-52

Dear Mr. Gordon:

We acknowledge with thanks receipt of a copy of Township of Kingston Notice of Application to the Ontario Municipal Board for approval of subject by-law.

While a couple of questions have been raised concerning the proposed by-law, these questions relate only to the portion of the by-law affecting airport lands as shown on Schedule "A-1" to By-Law No. 79-52.

First, we wish to point out that the intent of the by-law to zone all airport land "AP" in accordance with the decision of the Ontario Municipal Board is not being questioned. However, it is important, in order to avoid any misunderstanding concerning the areas to which the zone changes apply, that these areas be clearly defined. To this end, the following comment is provided:

(a) Additional information is required in order to transfer with reasonable accuracy the boundaries of the lands shown in area "D", identified by caption 'Zone Change to "AP"', to a survey drawing of the airport and adjacent lands.

(b) There appears to be a discrepancy in the airport boundaries at the entrance to the airport from Old Front Road, as shown and noted on the attached sketch.

These concerns have been discussed with Mr. H. J. Morris, M.C.I.P., Planner, Township of Kingston Planning Department, and we expect the requested information will be forthcoming.

. . . . /2

In view of the date July 17, 1979, being the final day for receipt of objections to proposed By-Law 79-52, we have no alternative to register an objection as follows:

Until such time as the requested information is provided to satisfactorily remove the foregoing concerns, we object to the approval of the Township of Kingston proposed By-Law 79-52.

As requested, we further advise that if a hearing is held, the objector or agent will attend the hearing.

If the aforementioned concerns can be resolved, there will be no hesitation is having our objection withdrawn.

Yours very truly,

W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

WDS/c

Att.

c.c. R. J. Hamilton, Chief Administrative Officer
G. G. Muirhead, Director of Planning & Urban Renewal
City of Kingston Planning Board, and
Secretary-Treasurer, Kingston Area Planning Board

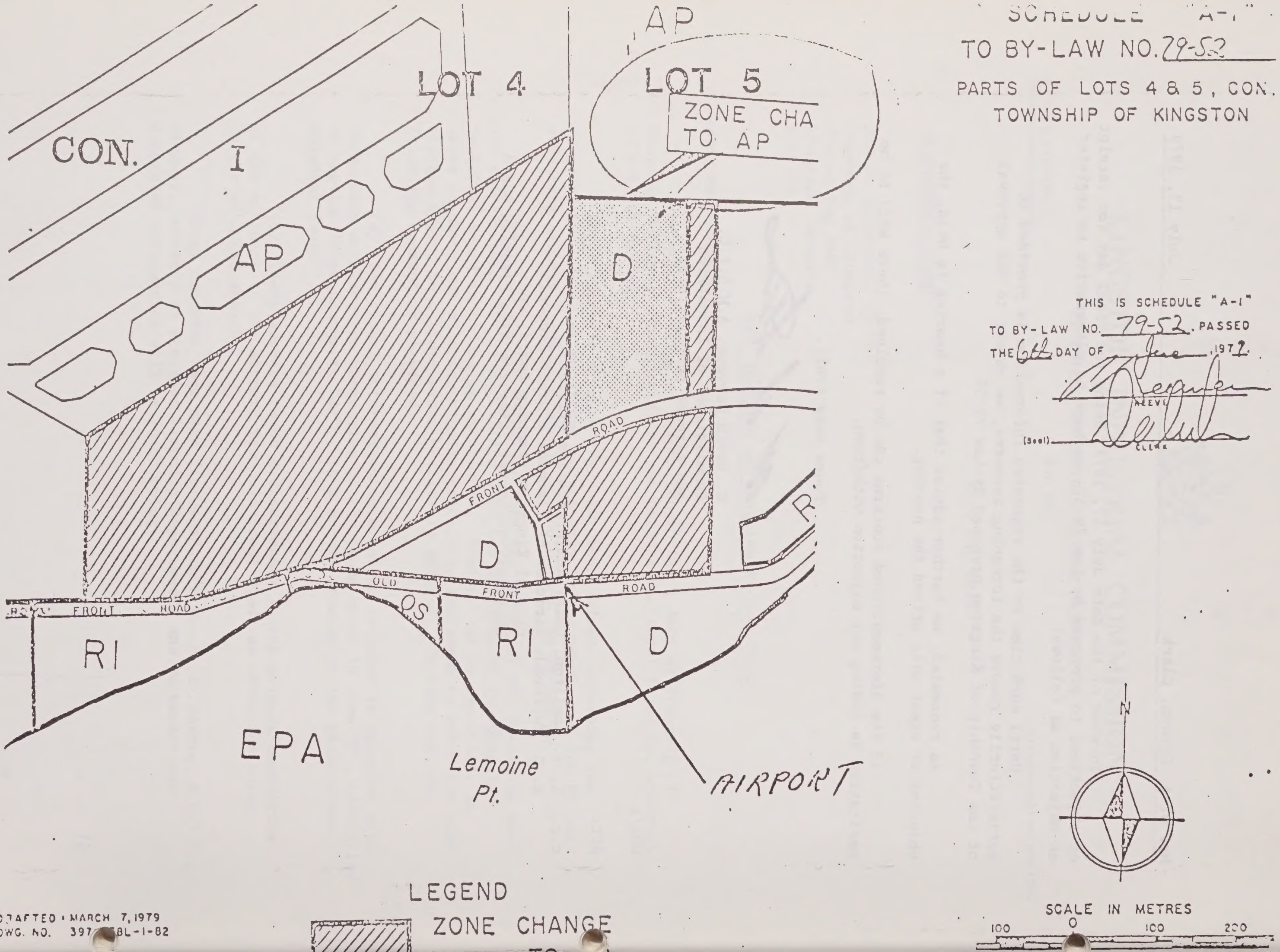
SCHEDULE "A-1"
TO BY-LAW NO. 79-52

PARTS OF LOTS 4 & 5, CON.
TOWNSHIP OF KINGSTON

THIS IS SCHEDULE "A-1"
TO BY-LAW NO. 79-52. PASSED
THE 6th DAY OF June 1979.

REEVE

(Seal) CLERK


AP
LOT 4
LOT 5
ZONE CHA
TO AP
CON.
I
AP
D
ROAD
FRONT
D
OLD
FRONT
ROAD
R
FRONT
ROAD
OS
RI
RI
D
EPA
Lemoine
Pt.
AIRPORT
N
SCALE IN METRES
100
0
100
200
LEGEND
ZONE CHANGE

DRAFTED: MARCH 7, 1979
DWG. NO. 397 BL-1-82

N/S art. Rd

REPORTS (Cont'd)

Report No. 27 - Finance & Accounts (Cont'd)

12. That, as recommended by the Transportation Committee, subject to the approval of the Department of Transport, the portion of proposed roadway on the North East Corner of airport property, as shown on draft plan of proposed subdivision, Part of Lot 5, Concession I, Township of Kingston, prepared by Smith and Smith, O.L.S. dated March 15, 1978, submitted by Dacon Corporation, be approved, subject to the following conditions:

a) that Dacon Corporation be held financially responsible for construction of such portion of roadway;

b) that the City of Kingston not be held liable for any costs incurred in the construction or maintenance of such portion of roadway;

c) that the small traingular-shaped landlocked portion of land resulting from the construction of such portion of roadway remain vacant;

d) that the City of Kingston be reimbursed by Dacon Corporation for the lands required to construct such portion of roadway, by exchangeof lands known on the said plan of subdivision as "other lands" owned by Dacon Corporation;

e) that the Township of Kingston agrees that the City of Kingston will not be assessed for future costs for the construction, maintenance or local improvements connected with the development of the North/South arterial road; and

f) that the Mayor and the Clerk be authorized to execute the necessary agreement.

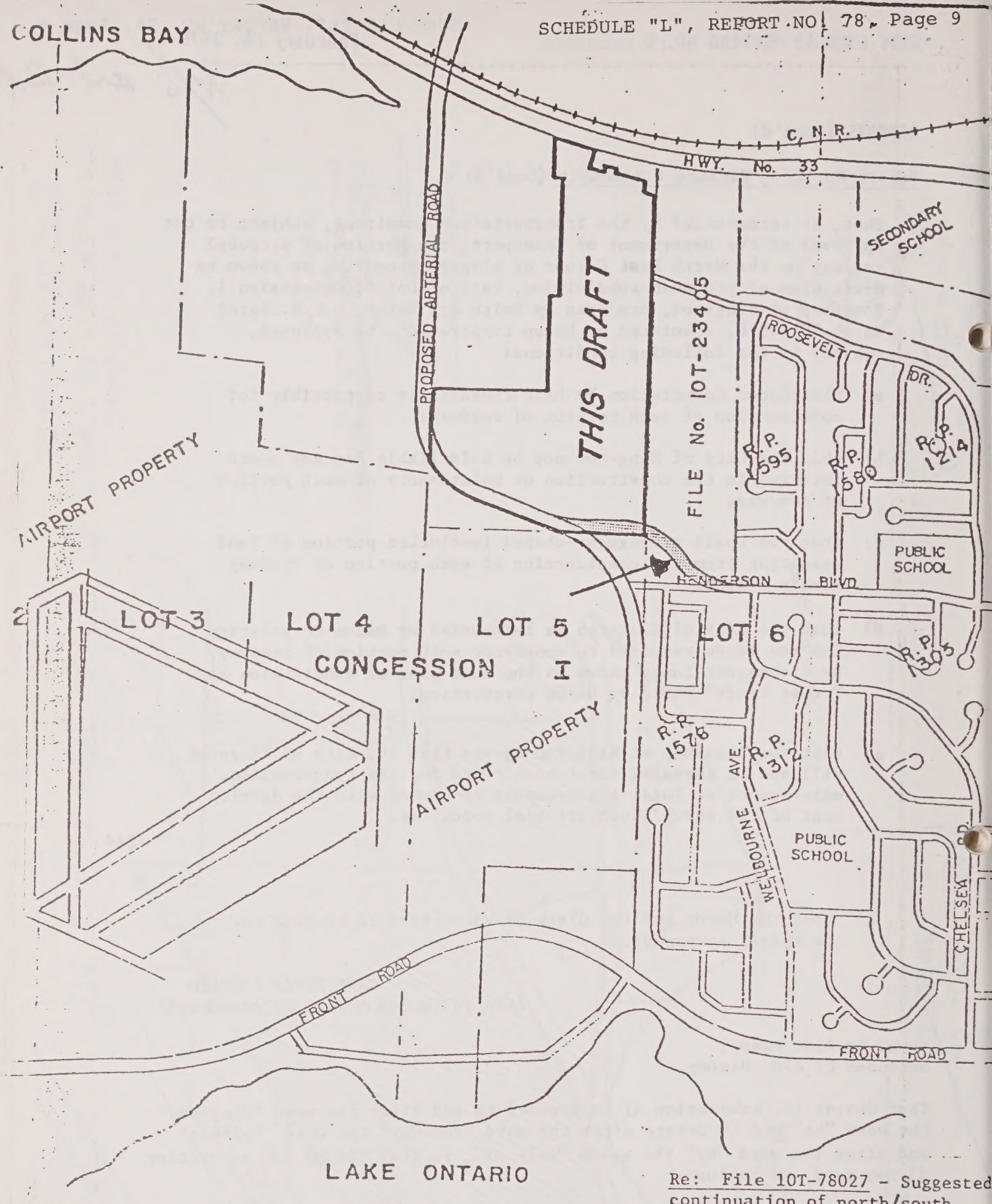
CARRIED AS AMENDED
(See following Motion of Amendment)

Moved by Ald. Knapp,
Seconded by Ald. Bishop,

That Clause 12, subsection d) be amended to add after the word "Kingston" the word "be" and to delete after the word "roadway" the word "either" and after the word "by" the words "sale or", so that Clause 12, subsection d) now read as follows:

"d) that the City of Kingston be reimbursed by Dacon Corporation for the lands required to construct such portion of roadway, by exchange of lands known on the said plan of subdivision as "other lands" owned by Dacon Corporation."

CARRIED


COLLINS BAY
C. N. R.
HWY. No. 33
SECONDARY SCHOOL
PROPOSED ARTERIAL ROAD
THIS DRAFT
FILE No. 10T-23405
ROOSEVELT DR.
R. P. 595
R. P. 580
R. P. 1214
AIRPORT PROPERTY
PUBLIC SCHOOL
HENDERSON BLVD.
LOT 3
LOT 4
LOT 5
LOT 6
CONCESSION I
R. P. 1305
AIRPORT PROPERTY
R. P. 1576
AVE.
R. P. 1312
WELBOURNE
PUBLIC SCHOOL
CHELSEA RD.
FRONT ROAD
FRONT ROAD
LAKE ONTARIO

Re: File 10T-78027 - Suggested continuation of north/south arterial road through proposed Dacon Subdivision, Part Lot 5, Conc. I, connecting to Henderso Blvd., Lot 6, west of Kingston Airport property.

Nov, 6/7

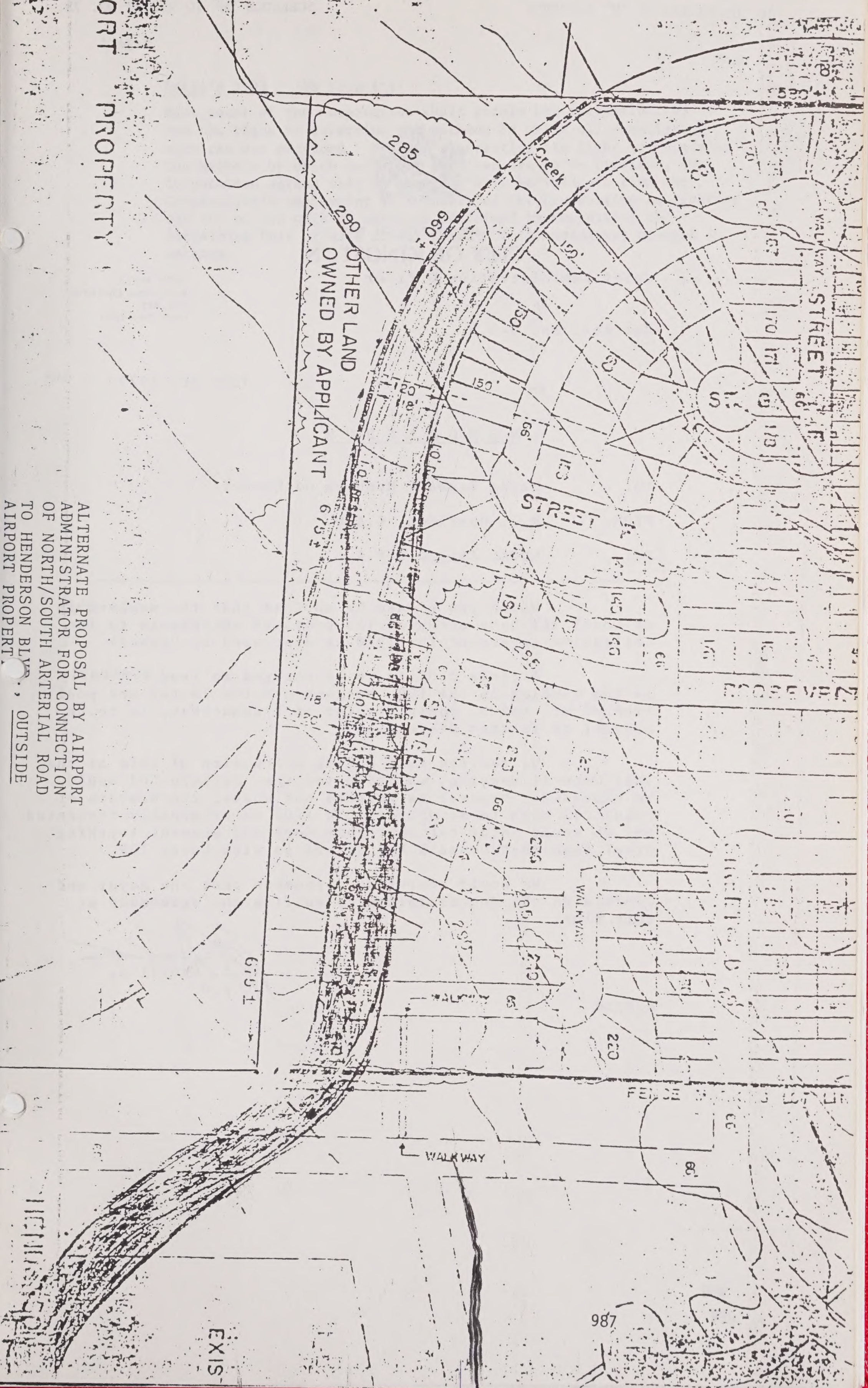
THIS IS A REVISION OF FILE 10T-23737
APPLICATION FOR APPROVAL OF PLAN OF SUBDIVISION
FOR DACON CORPORATION

SURVEYOR: SMITH & SMITH KINGSTON LTD.
520 GARDINERS ROAD
KINGSTON , ONTARIO

OWNER : DACON CORPORATION LIMITED
685 GARDINERS ROAD
KINGSTON , ONTARIO

DESIGNER : SMITH & SMITH KINGSTON LTD.

SOLICITOR : JACOB, MacPHERSON, STEWART &
172 WELLINGTON STREET
KINGSTON , ONTA


AIRPORT PROPERTY
OTHER LAND OWNED BY APPLICANT
285
290
Creek
1,099±
675±
675±
WALKWAY STREET
STREET
ST. G
STREET
ROOSEVELT
WALKWAY
WALKWAY
WALKWAY
FENCE
HENDERSON
EXIS

ALTERNATE PROPOSAL BY AIRPORT
ADMINISTRATOR FOR CONNECTION
OF NORTH/SOUTH ARTERIAL ROAD
TO HENDERSON BLVD., OUTSIDE
AIRPORT PROPERTY

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 5-3.9

July 20, 1979

MEMORANDUM

TO: Mayor Keyes & Members of Council

FROM: R.J. Hamilton, C.A.O.

RE: LOCAL 141, C.U.P.E.

Would you please be advised that the membership of Local 141 have accepted the proposed amendments to the Collective Agreement for 1980 as discussed by Council.

Article 5:02 is to be changed to read similarly as the wording in the 109 Contract and the letter and position of Mr. Smith, Administrator of Rideaucrest, is to be subject to further discussion.

We realize that during discussion of this at the last Council meeting, we indicated that Article 502 would be discussed, however as pointed out above, the members of Local 141 wish to accept Article 5:02 as originally requested and we would point out that this does not present anything other than what Council has agreed to with Local 109.

We would therefore recommend that the Mayor and Clerk sign the documentation to confirm the agreement at this time.

R.J. Hamilton,
C.A.O.

RJH/sd

Article 5:02 - Job Security

Management of the Corporation shall retain the responsibility and the right to determine the methods by which all municipal services are provided. Without restricting its right to determine the methods by which municipal services are to be provided, the Corporation agrees that no employee will be laid off from the Corporation's employment as a result of the Corporation contracting out any of its work or services performed by Members of the Bargaining Unit or as a direct result of technological changes in methods.

MEMORANDUM

TO: R. J. Hamilton, C.A.O.

FROM: W. D. Stevens, Commissioner of Industries and Airport Administrator

DATE: July 20, 1979

SUBJECT: Upgrading Runway 06R/24L
Our File A-4

ORIGIN: Council Meeting, dated May 28, 1979, Report No. 57, recommending that M.M. Dillon be authorized to proceed with calling of tenders for the upgrading of Runway 06R/24L at an estimated cost of $216,000 and if increase in subsidy is not granted by the Ministry of Transportation and Communications, to proceed on the basis of funds available. Subsequentl the subsidy was increased to $130,000 by the Ministry of Transportation and Communications.

ANALYSIS: A call for tender was placed in the Whig-Standard, July 5, 1979, and in the commercial news and two tenders were received. Attached is a copy of a letter dated July 13, 1979 from M.M. Dillon Ltd. with their evaluation of the tenders and recommendation.

FINANCIAL CONSIDERATIONS: The work, upgrading of Runway 06R/24L and installation of runway lighting and threshhold markers is subsidized in the amount of 50% through the Ministry of Transportation and Communications.

RECOMMENDATION: It is recommended that, subject to Ontario Municipal Board approval, Contract A79-42 for the reconstruction and associated lighting of Runway 06R/24L be awarded to Bennett Paving Limited in the amount of $218,716.64, being the lower of two tenders received.

Respectfully submitted,

W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

Att.

M. M. DILLON LIMITED

consulting engineers and planners

280 METCALFE STREET, OTTAWA, ONTARIO K2P 1R7 • (613) 238-6423

OUR FILE: 7911-04
YOUR FILE:

13 July 1979

Corp. of the City of Kingston
City Hall
Kingston, Ontario
K7L 2Z3

Attention: Mr. W. D. Stevens
Commissioner of Industries

Kingston Airport
Contract #A79-42

Dear Sirs:

We have examined the two tenders received to upgrade runway 06R/24L at Norman Rogers Airport.

The two tenders received were as follows:

Bennett Paving	$218,716.64
H.J. McFarland	225,813.77

The low bidder was within one and one half percent of the Engineer's estimate.

Bennett Paving have named the following sub-contractors

Electrical - Maxim Airfield Lighting Systems Limited
Landscaping - Geo. A. Gibson
Asphalt Prime - Wilfor Construction Ltd.
Pavement Markings - H & R Line Painters

...continued

Rec'd 18 July 79

We are satisfied that this team can produce a satisfactory product and recommend the City of Kingston award contract A79-42 to Bennett Paving and Materials Limited of Kingston.

Would you proceed to have the documents prepared for signature, to expedite the start of this contract upon receipt of O.M.B. and Council clearance.

We enclose the summary of tenders received for your records.

Yours truly,

M. M. DILLON LIMITED

J. W. Kinahan, P.Eng.
Project Manager

JWK:ls
Encl. (1)

MEMORANDUM

TO: R. J. Hamilton, C.A.O.

FROM: W. D. Stevens, Commissioner of Industries and Airport Administrator

DATE: July 20, 1979

SUBJECT: Airport Control Procedures - By-Law
Our File A-4

ORIGIN: Letter dated April 9, 1979, copy attached, from Mr. S. E. Livingston, Regional Manager, Airports and Properties, Transport Canada, respecting airport security procedures; and, advice from Transport Canada Airways Branch that the issuance of airport licences will be in accordance with established procedures at airports.

ANALYSIS: Copy of the Transport Canada regulations respecting the control of motor vehicles, pedestrians, aircraft and equipment on airports operated by Transport Canada is the appropriate background for establishing similar policy for the Kingston Airport. These regulations have been modified to apply to the Kingston Airport. Referred to and approved by the City Solicitor.

EXISTING POLICY: Basic operations, posting of signs, etc. are presently handled without formal legislation, which is essential in the event of any liability brought against the City.

FINANCIAL CONSIDERATIONS: Without an approved policy for levying fines for infractions of any nature, it would be difficult to collect the proposed penalty or pursue charges, and at the same time save the City harmless.

RECOMMENDATION: That the attached proposed By-law to "Provide for Regulations Respecting the Control of Motor Vehicles, Pedestrians, Aircraft and Equipment at the Kingston Airport", be presented to Council for approval.

Respectfully submitted,

W. D. Stevens

W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

Att.

Transport Canada Transports Canada

4900 Yonge Street
Suite 300
Willowdale, Ontario
M2N 6A5

April 9, 1979

Your file Votre référence

Our File Notre référence
5172-1

Mr. W.D. Stevens
Commissioner of Industries
City Hall
Kingston, Ontario

Dear Dave:

Re: Airport Security and Emergency Procedures

The Regional Security Supervisor, Mr. Jack Harrington, has reported that he found his visit to your Airport most fruitful. He was impressed by your interest in Airport security and safety and your strong desire to enhance your program by the installation of fencing.

I understand Jack left you some of our own Regulations and Procedures to use as a guideline - which I am sure will give you a good basic foundation with which to work out your own plans. If you forward your draft copy of the Airport Emergency Procedures, our specialists will make their reviews and on final approval will have them printed in sufficient number of copies for all interested parties.

Please feel free to call on us for any further help in this regard.

Yours very truly,

S.E. Livingston
Regional Manager,
Airports and Properties

11/4/79

REPORTS (Cont'd)

Report No. 79 - Rideaucrest Home Committee

Council consented to receive Report No. 79 of the Rideaucrest Home Committee.

Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That Report No. 79 of the Rideaucrest Home Committee be received and adopted.

REPORT NO. 79

July 23, 1979.

To the Mayor and Aldermen:

The Board of Management for Rideaucrest Home for the Aged may present the following report:

1. That, as recommended by the Administrator and by the Director of Purchasing, the tender of Frontenac Electrical Limited, 721 Progress Avenue, Kingston, Ontario, in the amount of $15,785.00, for the installation of a patient-nurse call system at Rideaucrest Home for the Aged, being the lowest tender received, be accepted, it being noted that sufficient unencumbered funds for this purpose have been provided in the 1979 Budget.

(Note: Schedule 'A' (2 pages) attached lists the tenders received. The Ministry of Community & Social Services has approved the plans and specifications for this call system, and will share the cost at a 50% subsidy. Closing date for acceptance of tender is August 6th)

CARRIED

Respectfully submitted,

(Signed) J. *Gerretsen* (Chairman)
J. *Hawkins*
B. *Bishop*
G. *Webb*

Schedule "A" to Report No. 79 (Page 1)
July 23, 1979

SUMMARY OF TENDER NO. 79-29

for

NURSE CALL SYSTEM - RIDEAUCREST HOME

PERIOD OF USE: Indefinite
METHOD OF INVITATION: Public & Individual Notices
NO. OF INVITATIONS SENT: 22

DATE OF CALLING: June 1, 1979
DATE OF CLOSING: June 20, 1979
NO. OF TENDERS RECEIVED: 9

DESCRIPTION	ALLVIEW INTERPHASE	ELECTRO-VOX INTERCOM	R. W. MARTIN ELEC.	INDUSTRIAL ELEC. CONTR.	ONTARIO ELEC. CONSTR.	K. R. McGOWAN LTD.	J. S. ELECTRIC LTD.	FRONTENAC ELECTRICAL	ASSOCIATED AUDIO
TO SUPPLY ALL PLANT, LABOUR, MATERIAL & PERMITS NECESSARY TO INSTALL AN ELECTRICALLY OPERATED AUDITORY NURSE CALL SYSTEM AT RIDEAUCREST HOME	$26,780.23	38,600.00	24,350.00	21,630.00	25,600.00	19,500.00	20,238.00	15,785.00	28,772.00
FEDERAL SALES TAX	Included	Included	Included	Included	Included	Included	Included	Included	Included
PROVINCIAL SALES TAX	Exempt	Exempt	Exempt	Exempt	Exempt	Exempt	Exempt	Exempt	Exempt
COMMENCE -	1 month	Sept. 79	July 3/79	1 week	1 week	1 week	2 weeks	-	60 days
COMPLETE -	1 month after commencement	Oct. 79	Aug. 15/79	6 weeks	10 weeks	5 weeks	5 weeks	4 wks. after delivery of equipment	30 days fr commenceme

REMARKS

The foregoing tabulation is a summary of all tenders received in response to the subject invitation, for the installation of a nurse call system at Rideaucrest Home.

Each of the above amounts includes a prime cost allowance of $750.00 for payments to Bell Canada Limited for relocation of their conductors, if necessary. Payment of this allowance to be made only when supported by Bell Canada invoices. Any unused balance would be credited to the Corporation. All tenders were based on standard specifications and drawings with full reference to manufactured components of recognized functional compatibility and characteristics. Installation conformity to the Nursing Homes Act, 1972, as well as certification requirements under Ontario Hydro rules and regulations being prerequisite since the equipment and installation is further covered by a warranty for a period of one year from the date of installation.

It is felt that the tender invitation provides an equitable basis for the submission and entertainment, thereby establishing price as a logical criterion in their evaluation.

..../page two attached

SUMMARY OF TENDER NO. 79-29

RECOMMENDATION

It is recommended for consideration that the tender of FRONTENAC ELECTRICAL LIMITED, 721 PROGRESS AVENUE, KINGSTON, ONTARIO, be accepted being the lowest tender received.

Respectfully submitted,

M. J. Ewart,
Director of Purchasing.

MJE/jg

REPORTS (Cont'd)

REPORT OF THE COMMITTEE OF THE WHOLE

(C) Moved by Ald. Webb,
Seconded by Ald. Bishop,

That the Report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

MOTION

Moved by Ald. Webb,
Seconded by Ald. Timmins,

That the sympathy of Council be extended to the family of the late Mrs. Kenneth Grant Crawford wife of a former Alderman, head of the Institute of Local Government and Deputy Minister of Municipal Affairs.

CARRIED

NOTICE OF MOTION

Moved by Ald. Clark,
Seconded by Ald. Clements,

That the Ministry of Community and Social Services be requested to give a presentation to City Council concerning the benefits of a county-wide Welfare System.

REFERRED TO THE COMMITTEE TO STUDY IMPLICATIONS OF A COUNTY-WIDE WELFARE SYSTEM

BYLAWS

Council consented to the amendment of the title of By-Law No. 5.

BYLAWS

(A) Moved by Ald. Matthews,
Seconded by Ald. McArthur,

That By-Laws 4 & 5 be given their First & Second Readings.

CARRIED

(B) Moved by Ald. Miller,
Seconded by Ald. Tarnowecky,

That Rule No. 35 of By-Law 1 be suspended for the Purpose of Giving By-Law No. 5 its Third Reading.

CARRIED

(C) Moved by Ald. Timmins,
Seconded by Ald. Webb,

That By-Laws 5 to 9 be given their Third Reading.

CARRIED

BYLAWS (Cont'd)

(4) A By-Law to Provide for Regulations Respecting the Control of Motor Vehicles, Pedestrians, Aircraft and Equipment at Kingston Airport.

(FIRST & SECOND READINGS) (Proposed No. 79-160)

(5) A By-Law to Confirm the Procedures of Council at its meeting held on July 23 and 24, 1979.

(THREE READINGS) (Proposed No. 79-161)
City Council Meeting No. 30, 1979

(6) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Rezone Lands North of Counter Street and West of Division Street to Industrial M, M.94, M.96 and Flood Plain FP).

(THIRD READING) (Proposed No. 79-138)
Clause 1, Report No. 73, 1979

Ald. McArthur opposed
Ald. Hawkins opposed
Ald. Gorham opposed
Ald. Tarnowecky opposed

(7) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Rezone 119 Barrack Street from Zone A (One and Two Family) Residential to Zone A.165 (One and Two Family) Residential).

(THIRD READING) (Proposed No. 79-139)
Clause 4, Report No. 73, 1979

(8) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Rezone 0.2 HA Parcel of Land on the Southeast Corner of King Street East and Maitland Street from Zone A (One and Two Family) Residential to Zone A.166 (One and Two Family) Residential and Amend Zoning of 47 Wellington Street by Deleting Section 56(a)(ii) Which Permitted Medical Offices Therein and Amending Section 56(a)(i) to Permit up to 17 Dwelling Units.)

(THIRD READING) (Proposed No. 79-140)
Clause 5, Report No. 73, 1979

Ald. Matthews opposed

(9) A By-Law to Amend the Official Plan of the City of Kingston Planning Area. (Amendment No. 2: Delete Section 2(78) which allowed Limited Medical Office Space within 47 Wellington Street).

(THIRD READING) (Proposed No. 79-141)
Clause 5, Report No. 73, 1979

UNFINISHED BUSINESS

Alderman Webb said that the Special Announcement distributed to the aldermen that evening with regard to the Association of Municipalities Convention referred to the fact that a "bade" would be given to the delegates. He asked what was a "bade"?

Mr. Healy said that this should read "badge".

Alderman Webb said that he had noticed in the news media that some of the local people involved in tourism were stating that there is a lack of tourists visiting the City this year. He had noticied in the Toronto paper that it was stated that one and one-half billion dollars had been received from tourists visiting Metro Toronto. This was way above the amount estimated. He would be awaiting the report from the local Bureau to see what had happened in Kingston.

Mayor Keyes said that visitors to Old Fort Henry were up 45% over last year. Part of this increase was attributed to the special program in June. The bridge crossings are down 3.5% but the City is experiencing an increase in the number of tourists.

Ald. Clements withdrew at 12:00 a.m.
Ald. Timmins withdrew at 12:00 a.m.

Moved by Ald. Bishop,
Seconded by Ald. Lampropoulos,

That, in accordance with Rule 16 of By-Law No. 1, permission be given to continue the City Council Meeting until completion of the Agenda.

CARRIED
Ald. Gorham opposed
Ald. Gerretsen opposed
Ald. Clements opposed

Alderman Clark said that Alderman McArthur and Alderman Miller had cautioned about a possible backlash with regard to the grant to the Indochina refugees. He asked the news media not to print articles in this regard.

Alderman Hawkins said that he had received a memorandum from the Chief Administrative Officer with regard to the tender call for City owned property located at Bath Road and Sir John A. Macdonald Boulevard. One of the conditions was that the purchaser must agree to commence construction within two years of purchase of the property. No conditions are set if the purchaser does not commence construction.

Alderman Hawkins said that he had received complaints with regard to action taken under the Property Standards By-Law with regard to senior citizens. One person had received a notice of non-compliance and had received no personal visit from the officer in charge at all. This is unfair. No indication to the homeowner that the property had been inspected two weeks prior to the receipt of the notice which was sent by registered mail. The notice gave two weeks from the time received to have the work done. The officers should approach the persons involved personally. More common sense should be given with regard to the time limits.

Mayor Keyes said that it had been brought to his attention and had been discussed with the appropriate persons.

Alderman Matthews said that the notices are confusing. They do not spell out what is wrong with the property.

Alderman Matthews said that at the last meeting of Council he had asked if City property was subject to the Property Standards By-Law. He had mentioned the condition of the boulevard along Sir John A. Macdonald Boulevard and Concession Street and Third Avenue.

UNFINISHED BUSINESS (Cont'd)

Ald. Webb withdrew at 12:06 a.m.
Ald. Gorham withdrew at 12:06 a.m.

Alderman McArthur said that the by-law enforcement officers do not get praised for what they do. One of the officers had personally visited a woman living on Outer Montreal Street. The woman had received a notice and was very upset. The officer, at his request, had visited the woman on his lunch hour and, very satisfactorily answered her questions.

Alderman McArthur said that in Peterborough, flowers are planted on the boulevards. From Division Street to the traffic circle the boulevards are in terrible condition.

Alderman McArthur said that trucks are using Orchard Street. The trucks should be made go down Rideau Street which is a truck route.

COMMITTEE OF THE WHOLE "IN CAMERA"

(A) Moved by Ald. Gerretsen,
Seconded by Ald. Clements,

That Council resolve itself into the Committee of the Whole to discuss "In Camera" a report from the Administrator of Traffic, Streets and Parking regarding land acquisition at the southwest corner of Stephen and Montreal Streets, with Mayor Keyes in the Chair.

(Note: Copy of the report of the Administrator of Traffic, Streets and Parking was distributed with the Agenda)

CARRIED

(B) Moved by Ald. McArthur,
Seconded by Ald. Miller,

That Council rise from the Committee of the Whole and the Chairman Report.

CARRIED

The Chairman reported that the report of the Administrator of Traffic, Streets and Parking was discussed and the following motion was passed:

Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That, as recommended by the Traffic, Streets and Parking Administrator:

(A) the offer of Wallace Howard to sell to the City his property at 408 Montreal Street (11.43 m x 23.24 m) for the sum of $23,000.00 be accepted on the following conditions:

That date of completion of purchase be August 17, 1979, subject to the City obtaining the approval of the Ontario Municipal Board for the necessary bylaw.

(B) a bylaw be presented to Council to authorize the widening of the intersection of Montreal Street and Stephen Street at a total estimated cost of $48,000.

COMMITTEE OF THE WHOLE "IN CAMERA" (Cont'd)

(B) Cont'd

Land Acquisition (408 Montreal St.)	$23,000.
Demolition and construction of new paving and boulevard	25,000.
Total Cost	$48,000.
Less 50% M.T.C. subsidy	24,000.
Net Amount to be debentured at the General Rate	$24,000.

- and -

(C) That the 1979 Capital Budget be amended as follows:

Transportation Department

Major Roads	Increase	Decrease
Intersection Improvement, Stephen St. and Montreal St.	$24,000.	-
Widen Princess St. (360' west of Sir John A. MacDonald Blvd. to 300' east of Portsmouth Ave.)		$24,000.

CARRIED

REPORT OF THE COMMITTEE OF THE WHOLE

(C) Moved by Ald. McArthur,
Seconded by Ald. Miller,

That the Report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

BYLAWS

Moved by Ald. McArthur,
Seconded by Ald. Miller,

That By-Law No. 10 be given its First and Second Reading.

CARRIED

(10) A By-Law to Authorize the Widening of the Intersection of Montreal Street and Stephen Street (General Rate).

(FIRST & SECOND READING) (Proposed No. 79-162)
City Council Meeting No. 30, 1979

ADJOURNMENT

Moved by Ald. Bishop,
Seconded by Ald. Clark,

That Council do now adjourn.

CARRIED

Council adjourned at 12:15 a.m. July 24, 1979.

(L.S.)

(Signed) *M.C. Healy*
City Clerk

(Signed) *Ken Keyes*
Mayor

③

3 9004 02686765 2